

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE NATIONAL PRESCRIPTION
OPIATE LITIGATION**

**This document relates to:
Case No. 1:18-op-45776-DAP**

**BOARD OF COUNTY
COMMISSIONERS OF THE COUNTY
OF SANTA FE,**

Plaintiff,

v.

PURDUE PHARMA, ET AL.,

Defendants.

MDL No. 2804

Case No. 17-md-2804

Judge Dan Aaron Polster

**WALMART INC.'S ANSWER AND AFFIRMATIVE DEFENSES TO PLAINTIFF'S
SUPPLEMENTAL AND AMENDED ALLEGATIONS TO BE ADDED TO
SHORT FORM FOR SUPPLEMENTING COMPLAINT AND AMENDING
DEFENDANTS AND JURY DEMAND**

Defendant Walmart Inc. ("Walmart")¹ hereby answers the Supplemental and Amended Allegations to Be Added to Short Form for Supplementing Complaint and Amending Defendants and Jury Demand ("Complaint") filed in the case of *Board of County Commissioners of the County of Santa Fe v. Purdue Pharma, et al.*, Case No. 1:18-op-45776-DAP (*In re Nat'l Prescription Opiate Litig.*, Case No. 17-md-2804 (N.D. Ohio), ECF No. 3737).²

¹ Walmart Inc. files this answer on behalf of the following Walmart-affiliated entities named as defendants in Plaintiff's Supplemental and Amended Allegations to Be Added to Short Form for Supplementing Complaint and Amending Defendants and Jury Demand: Walmart Inc.; Wal-Mart Stores East, LP; Wal-Mart Stores East, LLC; WSE Management, LLC; WSE Investment, LLC; Sam's East, Inc.; and Sam's West, Inc.

² Pursuant to Paragraph 4 of the Stipulated Order Regarding Answering The May 19, 2021 Amended Complaints In The Five New Pharmacy Bellwether Cases entered August 17, 2021 (MDL Dkt. 3853), (1) "Defendants shall only be required to answer the allegations set forth in the" Complaint; (2) Defendants "shall have no obligation to answer any prior complaints and pleadings incorporated by reference into the [Complaint];" (3) by not answering any prior complaints and pleadings, "Defendants do not admit any of the allegations in those prior complaints or pleadings and reserve all defenses to the claims and allegations of the prior complaints or pleadings;" and (4) the Defendants' "failure

Unless expressly stated otherwise, Walmart denies each and every allegation in the Complaint, including any allegations in the preamble, unnumbered and numbered paragraphs, titles, headings, subheadings, table of contents, footnotes, exhibits, characterization of documents, and stricken paragraphs, and specifically denies any liability to Plaintiff. To the extent not expressly denied, all allegations for which Walmart denies possessing knowledge or information sufficient to form a belief are denied. Walmart reserves the right to seek to amend and supplement its Answer as may be appropriate or necessary.

1. Paragraph 1 summarizes Plaintiff's claims and does not require a response. To the extent Paragraph 1 contains allegations of wrongdoing, Walmart denies such allegations. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 1, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

2. Paragraph 2 summarizes Plaintiff's claims and does not require a response. To the extent Paragraph 2 contains allegations of wrongdoing, Walmart denies such allegations. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 2, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

3. Pursuant to Paragraph 4 of the Stipulated Order Regarding Answering The May 19, 2021 Amended Complaints In The Five New Pharmacy Bellwether Cases entered August 17, 2021 (MDL Dkt. 3853), Walmart is only required to answer the allegations set forth in this Complaint and does not respond to any allegations in its Original Complaint (ECF 1), Plaintiff's

to answer any prior complaint or pleading in responding to the allegations of the [Complaint] shall not be construed as an admission of any allegation in those prior complaints or pleadings and shall not be a basis for a default judgment with respect to any claims asserted in those prior complaints or pleadings." Consistent with that Order, Walmart answers only the allegations set forth in Plaintiff's Complaint.

Amended Short Form Complaint (ECF 7), or any other complaints or pleadings that Plaintiff purports to incorporate herein. Walmart does not admit any allegation contained in any of Plaintiff's prior complaints and pleadings. Answering further, to the extent any of Plaintiff's prior pleadings contain allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart.

4. Walmart acknowledges that abuse and addiction to opioids is a serious public health issue. Walmart denies the allegations in Paragraph 4 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 4, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

5. Walmart acknowledges that abuse and addiction to opioids is a serious public health issue. Walmart denies the allegations in Paragraph 5 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 5; such allegations are therefore deemed to be denied.

6. Walmart denies the allegations in Paragraph 6 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 6, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

7. Walmart is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 7; such allegations are therefore deemed to be denied.

8. Walmart denies the allegations in Paragraph 8 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth

of the allegations in Paragraph 8, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

9. While Walmart is aware of reports regarding drug overdose, Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 9; such allegations are therefore deemed to be denied.

10. While Walmart is aware of reports regarding drug overdose, Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 10; such allegations are therefore deemed to be denied.

11. Walmart is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 11; such allegations are therefore deemed to be denied.

12. Walmart is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 12; such allegations are therefore deemed to be denied.

13. To the extent Paragraph 13 refers to documents,³ those documents speak for themselves, and Walmart denies any characterizations thereof. Walmart admits that, according to www.whitehouse.gov, the President declared the opioid crisis a national public health emergency on October 26, 2017. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 13, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

³ As used by Walmart in this Answer, “document” and/or documents” include, without limitation, writings, recordings, photographs, and electronically stored information, as well as websites, message boards, videos, CME presentations and materials, programs, literature, and all other sources used in support of each allegation.

14. Walmart is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 14; such allegations are therefore deemed to be denied.

15. Walmart acknowledges that abuse and addiction to opioids is a serious public health issue. Walmart denies the allegations in Paragraph 15 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 15, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

16. Walmart denies the allegations in Paragraph 16 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 16, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

17. Paragraph 17 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Paragraph 17 also states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 17 and further denies the remaining allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 17, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

18. Paragraph 18 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 18 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the

allegations in Paragraph 18, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

19. While Walmart is aware of reports regarding drug overdose, Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 19; such allegations are therefore deemed to be denied.

20. Paragraph 20 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 20 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 20, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

21. Paragraph 21 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. Further, Paragraph 21 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 21 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 21, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

22. Paragraph 22 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 22 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 22, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

23. Walmart denies the allegations in Paragraph 23 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 23, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

24. Walmart denies the allegations in Paragraph 24 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 24, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

25. Walmart denies the allegations in Paragraph 25 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 25, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

26. Walmart is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 26; such allegations are therefore deemed to be denied.

27. Paragraph 27 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 27 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 27, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

28. Paragraph 28 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 28 and

further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 28, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

29. Paragraph 29 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 29 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 29, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

30. Paragraph 30 states legal conclusions to which no response is required. Walmart admits that it is not aware of a reason or basis to dispute the personal jurisdiction of this Court over Walmart for the claims asserted in the Complaint. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 30, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

31. Paragraph 31 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 31 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 31, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

32. Walmart is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 32; such allegations are therefore deemed to be denied.

33. The allegations in Paragraph 33 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 33 is deemed to contain allegations against Walmart, Walmart denies such allegations.

34. The allegations in Paragraph 34 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 34 is deemed to contain allegations against Walmart, Walmart denies such allegations.

35. The allegations in Paragraph 35 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 35 is deemed to contain allegations against Walmart, Walmart denies such allegations.

36. The allegations in Paragraph 36 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 36 is deemed to contain allegations against Walmart, Walmart denies such allegations.

37. The allegations in Paragraph 37 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 37 is deemed to contain allegations against Walmart, Walmart denies such allegations.

38. The allegations in Paragraph 38 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 38 is deemed to contain allegations against Walmart, Walmart denies such allegations.

39. The allegations in Paragraph 39 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 39 is deemed to contain allegations against Walmart, Walmart denies such allegations.

40. The allegations in Paragraph 40 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 40 is deemed to contain allegations against Walmart, Walmart denies such allegations.

41. The allegations in Paragraph 41 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 41 is deemed to contain allegations against Walmart, Walmart denies such allegations.

42. The allegations in Paragraph 42 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 42 is deemed to contain allegations against Walmart, Walmart denies such allegations.

43. The allegations in Paragraph 43 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 43 is deemed to contain allegations against Walmart, Walmart denies such allegations.

44. The allegations in Paragraph 44 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 44 is deemed to contain allegations against Walmart, Walmart denies such allegations.

45. The allegations in Paragraph 45 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 45 is deemed to contain allegations against Walmart, Walmart denies such allegations.

46. The allegations in Paragraph 46 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 46 is deemed to contain allegations against Walmart, Walmart denies such allegations.

47. The allegations in Paragraph 47 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 47 is deemed to contain allegations against Walmart, Walmart denies such allegations.

48. The allegations in Paragraph 48 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 48 is deemed to contain allegations against Walmart, Walmart denies such allegations.

49. The allegations in Paragraph 49 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 49 is deemed to contain allegations against Walmart, Walmart denies such allegations.

50. The allegations in Paragraph 50 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 50 is deemed to contain allegations against Walmart, Walmart denies such allegations.

51. The allegations in Paragraph 51 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 51 is deemed to contain allegations against Walmart, Walmart denies such allegations.

52. The allegations in Paragraph 52 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 52 is deemed to contain allegations against Walmart, Walmart denies such allegations.

53. Walmart admits that Walmart Inc. (formerly known as Wal-Mart Stores, Inc.) is a Delaware corporation with a principal place of business in Bentonville, Arkansas.

54. Walmart admits that Wal-Mart Stores East, LP is a Delaware limited partnership with a principal place of business in Bentonville, Arkansas.

55. Walmart admits that Sam's East, Inc. d/b/a Sam's Club, is an Arkansas corporation with its principal place of business in Bentonville, Arkansas. Walmart further admit that Sam's West, Inc. d/b/a Sam's Club is an Arkansas corporation with its principal place of business in Bentonville, Arkansas. Walmart further admits that Sam's East Inc. is an indirectly, wholly owned subsidiary of Walmart Inc. and that the sole shareholder of Sam's East, Inc. is Sam's West, Inc. Walmart admits that both Sam's East, Inc. and Sam's West, Inc. operate Sam's Club stores in various locations. Walmart denies any remaining allegations of Paragraph 55.

56. Walmart admits that Sam's West, Inc. is a wholly owned subsidiary of Walmart. Walmart further admits that Sam's West, Inc. is the sole shareholder of Sam's East, Inc.

57. Walmart admits that WSE Management, LLC is a Delaware limited liability company. Walmart also admits that WSE Management, LLC owns one percent of Wal-Mart Store East, LP.

58. Walmart admits that WSE Investment, LLC is a Delaware limited liability company. Walmart also admits that WSE Investment, LLC owns ninety-nine percent of Wal-Mart Store East, LP.

59. Walmart admits that Wal-Mart Stores East, LLC (formerly known as Wal-Mart Stores East, Inc.) is an Arkansas limited liability company. Walmart also admits that Wal-Mart Stores East, LLC is the sole member of both WSE Management, LLC and WSE Investment, LLC.

60. Walmart admits that Walmart Inc. is the sole member of Wal-Mart Stores East, LLC (formerly known as Wal-Mart Stores East, Inc.).

61. Paragraph 61 purports to recite the shorthand terms that Plaintiff defines for its use in its Complaint, and such allegations do not require a response from Walmart. To the extent Paragraph 61 contains allegations of wrongdoing, Walmart denies such allegations.

62. Walmart admits that Walmart Inc., through its subsidiary, distributes certain prescription medication to certain pharmacies operated by Walmart Inc. and/or its subsidiaries. Walmart also admits that pharmacists working at pharmacies operated by Walmart Inc. and/or its subsidiaries dispense certain prescription medication. Walmart denies the remaining allegations in Paragraph 62.

63. Walmart admits that at times relevant to this litigation, Walmart Inc., through its subsidiary, distributed certain prescription opioid medication to certain pharmacies operated by

Walmart Inc. and/or its subsidiaries located in New Mexico and Santa Fe County. Walmart also admits that at times relevant to this litigation, pharmacists working at pharmacies operated by Walmart Inc. and/or its subsidiaries in New Mexico and Santa Fe County dispensed certain prescription opioid medication. Walmart denies the remaining allegations in Paragraph 63.

64. The allegations in Paragraph 64 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 64 is deemed to contain allegations against Walmart, Walmart denies such allegations.

65. The allegations in Paragraph 65 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 65 is deemed to contain allegations against Walmart, Walmart denies such allegations.

66. The allegations in Paragraph 66 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 66 is deemed to contain allegations against Walmart, Walmart denies such allegations.

67. The allegations in Paragraph 67 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 67 is deemed to contain allegations against Walmart, Walmart denies such allegations.

68. The allegations in Paragraph 68 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 68 is deemed to contain allegations against Walmart, Walmart denies such allegations.

69. The allegations in Paragraph 69 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 69 is deemed to contain allegations against Walmart, Walmart denies such allegations.

70. The allegations in Paragraph 70 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 70 is deemed to contain allegations against Walmart, Walmart denies such allegations.

71. The allegations in Paragraph 71 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 71 is deemed to contain allegations against Walmart, Walmart denies such allegations.

72. The allegations in Paragraph 72 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 72 is deemed to contain allegations against Walmart, Walmart denies such allegations.

73. The allegations in Paragraph 73 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 73 is deemed to contain allegations against Walmart, Walmart denies such allegations.

74. The allegations in Paragraph 74 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 74 is deemed to contain allegations against Walmart, Walmart denies such allegations.

75. The allegations in Paragraph 75 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 75 is deemed to contain allegations against Walmart, Walmart denies such allegations.

76. The allegations in Paragraph 76 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 76 is deemed to contain allegations against Walmart, Walmart denies such allegations.

77. The allegations in Paragraph 77 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 77 is deemed to contain allegations against Walmart, Walmart denies such allegations.

78. The allegations in Paragraph 78 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 78 is deemed to contain allegations against Walmart, Walmart denies such allegations.

79. The allegations in Paragraph 79 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 79 is deemed to contain allegations against Walmart, Walmart denies such allegations.

80. The allegations in Paragraph 80 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 80 is deemed to contain allegations against Walmart, Walmart denies such allegations.

81. Paragraph 81 summarizes Plaintiff's claims and does not require a response. To the extent that an answer is required, Walmart is responding to the allegations in this Complaint on behalf of the following Walmart-affiliated entities named as defendants in the Complaint: Walmart Inc.; Wal-Mart Stores East, LP; Wal-Mart Stores East, LLC; WSE Management, LLC; WSE Investment, LLC; Sam's East, Inc.; and Sam's West, Inc. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 81, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

82. Paragraph 82 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 82 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 82, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

83. Paragraph 83 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 83 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 83, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

84. Walmart admits that opioids are a class of substances that include legal prescription medication such as pain relievers. Walmart is otherwise without knowledge or

information sufficient to form a belief as to the truth of the allegations in Paragraph 84; such allegations are therefore deemed to be denied.

85. Walmart is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 85; such allegations are therefore deemed to be denied.

86. Walmart is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 86; such allegations are therefore deemed to be denied.

87. Walmart is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 87; such allegations are therefore deemed to be denied.

88. Walmart is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 88; such allegations are therefore deemed to be denied.

89. Walmart admits that during some time periods some opioids have been regulated as Schedule II controlled substances. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 89; such allegations are therefore deemed to be denied.

90. Walmart is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 90; such allegations are therefore deemed to be denied.

91. Walmart is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 91; such allegations are therefore deemed to be denied.

92. Walmart is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 92; such allegations are therefore deemed to be denied.

93. Walmart denies the allegations in Paragraph 93 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 93, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

94. Walmart denies the allegations in Paragraph 94 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 94, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

95. Paragraph 95 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 95 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 95, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

96. Walmart denies the allegations in Paragraph 96 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to

the truth of the allegations in Paragraph 96, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

97. Walmart admits that it does business in many parts of the United States. Walmart also admits that pharmacists working at pharmacies operated by Walmart Inc. and/or its subsidiaries dispense certain prescription opioid medication. Walmart denies the remaining allegations in Paragraph 97 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 97, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

98. Paragraph 98 purports to compile governmentally-disclosed ARCOS data which speaks for itself, and Walmart denies any characterization thereof. Further, Paragraph 98 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 98 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 98, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

99. Walmart admits that at times relevant to this litigation, it possessed certain data on prescription medication it distributed and dispensed. Walmart denies the remaining allegations in Paragraph 99 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 99, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

100. Paragraph 100 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 100 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 100, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

101. Paragraph 101 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 101 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 101, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

102. Paragraph 102 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 102 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 102, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

103. Walmart denies the allegations in Paragraph 103 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 103, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

104. Walmart denies the allegations in Paragraph 104 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 104, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

105. Walmart denies the allegations in Paragraph 105 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 105, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

106. Walmart denies the allegations in Paragraph 106 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 106, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

107. Walmart denies the allegations in Paragraph 107 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 107, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

108. Paragraph 108 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 108 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 108, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

109. Paragraph 109 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 109 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 109, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

110. Paragraph 110 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 110 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 110, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

111. Paragraph 111 purports to recite law that speaks for itself, and Walmart denies any characterizations thereof. Paragraph 111 also states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 111. Further, to the extent Paragraph 111 contains allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 111, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

112. Paragraph 112 purports to recite law that speaks for itself, and Walmart denies any characterizations thereof. Paragraph 112 also states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in

Paragraph 112. Further, to the extent Paragraph 112 contains allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 112, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

113. Paragraph 113 purports to recite law that speaks for itself, and Walmart denies any characterizations thereof. Paragraph 113 also states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 113. Walmart admits that pharmacies operated by Walmart Inc. and/or its subsidiaries are registrants under the Controlled Substances Act. Further, to the extent Paragraph 113 contains allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart.

114. Paragraph 114 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. Answering further, Paragraph 114 purports to recite law that speaks for itself, and Walmart denies any characterizations thereof. Paragraph 114 also states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 114. Answering further, to the extent Paragraph 114 contains allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart.

115. Paragraph 115 purports to recite law that speaks for itself, and Walmart denies any characterizations thereof. Paragraph 115 also states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 115. Walmart admits that pharmacies operated by Walmart Inc. and/or its subsidiaries

are registrants under the Controlled Substances Act. Further, to the extent Paragraph 115 contains allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart.

116. Paragraph 116 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 116 and further denies the allegations contained therein to the extent they apply to Walmart. Further, to the extent Paragraph 116 contains allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 116, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

117. Paragraph 117 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 117 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 117, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

118. Paragraph 118 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 118 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 118, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

119. Paragraph 119 purports to recite law that speaks for itself, and Walmart denies any characterizations thereof. Paragraph 119 also states legal conclusions to which no response is

required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 119. Further, to the extent Paragraph 119 contains allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart.

120. Paragraph 120 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 120 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 120, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

121. Paragraph 121 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 121 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 121, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

122. Paragraph 122 purports to recite law that speaks for itself, and Walmart denies any characterizations thereof. Paragraph 122 also states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 122. Further, to the extent Paragraph 122 contains allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart.

123. Paragraph 123 purports to recite law that speaks for itself, and Walmart denies any characterizations thereof. Paragraph 123 also states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in

Paragraph 123. Further, to the extent Paragraph 123 contains allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart.

124. Walmart admits that at times relevant to this litigation, it possessed certain data on prescription medication it distributed and dispensed, including both controlled and non-controlled substances. Walmart denies the remaining allegations in Paragraph 124.

125. Paragraph 125 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 125 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 125, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

126. Paragraph 126 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Further, Paragraph 126 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 126 and further denies the allegations contained therein.

127. Paragraph 127 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 127 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 127, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

128. Paragraph 128 purports to recite law that speaks for itself, and Walmart denies any characterizations thereof. Paragraph 128 also states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in

Paragraph 128. Further, to the extent Paragraph 128 contains allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart.

129. Paragraph 129 purports to recite law that speaks for itself, and Walmart denies any characterizations thereof. Paragraph 129 also states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 129. Answering further, to the extent Paragraph 129 contains allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart.

130. Paragraph 130 purports to recite law that speaks for itself, and Walmart denies any characterizations thereof. To the extent Paragraph 130 contains allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart.

131. Paragraph 131 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 131 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 131, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

132. Paragraph 132 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 132 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 132, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

133. Paragraph 133 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 133 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 133, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

134. Paragraph 134 purports to recite law that speaks for itself, and Walmart denies any characterizations thereof. Paragraph 134 also states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 134. Answering further, to the extent Paragraph 134 contains allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart.

135. Paragraph 135 purports to recite law and refer to documents that speak for themselves, and Walmart denies any characterizations thereof. Answering further, Paragraph 135 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 135 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 135, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

136. Walmart admits that New Mexico participates in a Prescription Drug Monitoring Program (“PDMP”). Walmart is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 136; such allegations are therefore deemed to be denied.

137. Walmart admits that PDMPs provide certain information. Answering further, Paragraph 137 refers to documents that speaks for themselves, and Walmart denies any characterizations thereof. Answering further, the allegations in Paragraph 137 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 137 is deemed to contain allegations against Walmart, Walmart denies such allegations.

138. Walmart admits that at times relevant to this litigation, it possessed certain data on prescription medication its pharmacists dispensed, including both controlled and non-controlled substances. Answering further, Paragraph 138 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 138 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 138, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

139. Paragraph 139 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 139 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 139, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

140. Paragraph 140 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 140 and

further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 140, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

141. Paragraph 141 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 141 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 141, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

142. Paragraph 142 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 142 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 142, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied. Further, to the extent Paragraph 142 contains allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart.

143. Paragraph 143 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 143 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 143, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

144. Walmart denies the allegations in Paragraph 144 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to

the truth of the allegations in Paragraph 144, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

145. Walmart admits that at times relevant to this litigation, it was a member of NACDS. Walmart also admits that at certain times, certain Walmart employees have served on the NACDS Board of Directors. Paragraph 145 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 145 to the extent they apply to Walmart, including that Walmart is or was a member of HDA and/or its predecessors HDMA and NWDA. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 145, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

146. Walmart admits that HDA is a trade association that represents wholesale distributors. Walmart also admits that HDA has at certain times worked together with NACDS on certain issues. Walmart denies that it is or was a member of HDA and/or its predecessors HDMA and NWDA. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 146, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

147. Paragraph 147 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 147, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

148. Paragraph 148 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 148 to the extent they apply to Walmart, including that Walmart is or was a member of HDA and/or its predecessors

HDMA and NWDA. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 148, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

149. Paragraph 149 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 149 to the extent they apply to Walmart, including that Walmart is or was a member of HDA and/or its predecessors HDMA and NWDA. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 149, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

150. Paragraph 150 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 150 to the extent they apply to Walmart, including that Walmart is or was a member of HDA and/or its predecessors HDMA and NWDA. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 150, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

151. Paragraph 151 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 151 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 151, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

152. Paragraph 152 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart is otherwise without knowledge or information sufficient to

form a belief as to the truth of the allegations in Paragraph 152; such allegations are therefore deemed to be denied.

153. To the extent Paragraph 153 refers to documents, those documents speak for themselves, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 153 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 153, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

154. Paragraph 154 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. Paragraph 154 also states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 154. Further, to the extent Paragraph 154 contains allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart.

155. Paragraph 155 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 155; such allegations are therefore deemed to be denied.

156. To the extent Paragraph 156 refers to documents, those documents speak for themselves, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 156 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 156, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

157. Paragraph 157 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 157; such allegations are therefore deemed to be denied.

158. Paragraph 158 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 158 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 158, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

159. Paragraph 159 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 159 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 159, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

160. Paragraph 160 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 160 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 160, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

161. Walmart is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 161, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

162. Walmart denies the allegations in Paragraph 162 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 162, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

163. Paragraph 163 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 163 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 163, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

164. Paragraph 164 purports to recite law that speaks for itself, and Walmart denies any characterizations thereof. Paragraph 164 also states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 164. To the extent Paragraph 164 refers to documents, those documents speak for themselves, and Walmart denies any characterizations thereof. Further, to the extent Paragraph 164 contains allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 164, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

165. Paragraph 165 refers to a document and purports to recite law that speak for themselves, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 165 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph

165, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

166. Paragraph 166 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 166; such allegations are therefore deemed to be denied.

167. Paragraph 167 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 167; such allegations are therefore deemed to be denied.

168. The allegations in Paragraph 168 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 168 is deemed to contain allegations against Walmart, Walmart denies such allegations.

169. Paragraph 169 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Further, Paragraph 169 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 169 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 169, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

170. Paragraph 170 refers to documents that speaks for themselves, and Walmart denies any characterizations thereof. Paragraph 170 also states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 170 and further denies the remaining allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 170, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

171. Paragraph 171 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 171 to the extent they apply to Walmart, including that Walmart is or was a member of HDA and/or its predecessor HDMA. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 171, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

172. Paragraph 172 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 172; such allegations are therefore deemed to be denied.

173. Paragraph 173 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 173 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 173, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

174. Paragraph 174 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 174 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 174, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

175. Walmart admits that at times relevant to this litigation, it possessed certain data on prescription medication it distributed and dispensed, including both controlled and non-controlled substances. Further, Paragraph 175 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 175 and further denies the remaining allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 175, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

176. Paragraph 176 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 176; such allegations are therefore deemed to be denied.

177. Paragraph 177 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 177 and further denies the allegations contained therein to the extent they apply to Walmart. Answering further, Paragraph 177 purports to recite law that speaks for itself, and Walmart denies any characterizations thereof. Answering further, to the extent Paragraph 177 contains allegations of

wrongdoing, Walmart denies such allegations to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 177, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

178. Paragraph 178 purports to recite law that speaks for itself, and Walmart denies any characterizations thereof. Paragraph 178 also states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 178. Further, to the extent Paragraph 178 contains allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart.

179. Paragraph 179 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 179 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 179, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

180. Paragraph 180 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 180, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

181. Paragraph 181 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 181; such allegations are therefore deemed to be denied.

182. Walmart admits that at times relevant to this litigation, it possessed certain data on prescription medication it distributed and dispensed, including both controlled and non-controlled substances. Walmart denies the remaining allegations in Paragraph 182 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 182, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

183. Paragraph 183 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 183 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 183, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

184. The allegations in Paragraph 184 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 184 is deemed to contain allegations against Walmart, Walmart denies such allegations.

185. The allegations in Paragraph 185 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 185 is deemed to contain allegations against Walmart, Walmart denies such allegations.

186. The allegations in Paragraph 186 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 186 is deemed to contain allegations against Walmart, Walmart denies such allegations.

187. The allegations in Paragraph 187 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 187 is deemed to contain allegations against Walmart, Walmart denies such allegations.

188. The allegations in Paragraph 188 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 188 is deemed to contain allegations against Walmart, Walmart denies such allegations.

189. The allegations in Paragraph 189 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 189 is deemed to contain allegations against Walmart, Walmart denies such allegations.

190. The allegations in Paragraph 190 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 190 is deemed to contain allegations against Walmart, Walmart denies such allegations.

191. The allegations in Paragraph 191 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 191 is deemed to contain allegations against Walmart, Walmart denies such allegations.

192. The allegations in Paragraph 192 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 192 is deemed to contain allegations against Walmart, Walmart denies such allegations.

193. The allegations in Paragraph 193 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 193 is deemed to contain allegations against Walmart, Walmart denies such allegations.

194. The allegations in Paragraph 194 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 194 is deemed to contain allegations against Walmart, Walmart denies such allegations.

195. The allegations in Paragraph 195 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 195 is deemed to contain allegations against Walmart, Walmart denies such allegations.

196. The allegations in Paragraph 196 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 196 is deemed to contain allegations against Walmart, Walmart denies such allegations.

197. The allegations in Paragraph 197 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 197 is deemed to contain allegations against Walmart, Walmart denies such allegations.

198. The allegations in Paragraph 198 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 198 is deemed to contain allegations against Walmart, Walmart denies such allegations.

199. The allegations in Paragraph 199 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 199 is deemed to contain allegations against Walmart, Walmart denies such allegations.

200. The allegations in Paragraph 200 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 200 is deemed to contain allegations against Walmart, Walmart denies such allegations.

201. The allegations in Paragraph 201 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 201 is deemed to contain allegations against Walmart, Walmart denies such allegations.

202. The allegations in Paragraph 202 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 202 is deemed to contain allegations against Walmart, Walmart denies such allegations.

203. The allegations in Paragraph 203 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 203 is deemed to contain allegations against Walmart, Walmart denies such allegations.

204. The allegations in Paragraph 204 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 204 is deemed to contain allegations against Walmart, Walmart denies such allegations.

205. The allegations in Paragraph 205 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 205 is deemed to contain allegations against Walmart, Walmart denies such allegations.

206. The allegations in Paragraph 206 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 206 is deemed to contain allegations against Walmart, Walmart denies such allegations.

207. The allegations in Paragraph 207 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 207 is deemed to contain allegations against Walmart, Walmart denies such allegations.

208. The allegations in Paragraph 208 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 208 is deemed to contain allegations against Walmart, Walmart denies such allegations.

209. The allegations in Paragraph 209 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 209 is deemed to contain allegations against Walmart, Walmart denies such allegations.

210. The allegations in Paragraph 210 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 210 is deemed to contain allegations against Walmart, Walmart denies such allegations.

211. The allegations in Paragraph 211 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 211 is deemed to contain allegations against Walmart, Walmart denies such allegations.

212. The allegations in Paragraph 212 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 212 is deemed to contain allegations against Walmart, Walmart denies such allegations.

213. The allegations in Paragraph 213 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 213 is deemed to contain allegations against Walmart, Walmart denies such allegations.

214. The allegations in Paragraph 214 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 214 is deemed to contain allegations against Walmart, Walmart denies such allegations.

215. The allegations in Paragraph 215 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 215 is deemed to contain allegations against Walmart, Walmart denies such allegations.

216. The allegations in Paragraph 216 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 216 is deemed to contain allegations against Walmart, Walmart denies such allegations.

217. The allegations in Paragraph 217 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 217 is deemed to contain allegations against Walmart, Walmart denies such allegations.

218. The allegations in Paragraph 218 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 218 is deemed to contain allegations against Walmart, Walmart denies such allegations.

219. The allegations in Paragraph 219 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 219 is deemed to contain allegations against Walmart, Walmart denies such allegations.

220. Paragraph 220 purports to compile governmentally-disclosed ARCOS data which speaks for itself, and Walmart denies any characterization thereof. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 220, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied. To the extent Paragraph 220 purports to contain factual allegations of wrongdoing, Walmart denies such allegations.

221. The allegations in Paragraph 221 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 221 is deemed to contain allegations against Walmart, Walmart denies such allegations.

222. The allegations in Paragraph 222 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 222 is deemed to contain allegations against Walmart, Walmart denies such allegations.

223. The allegations in Paragraph 223 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 223 is deemed to contain allegations against Walmart, Walmart denies such allegations.

224. The allegations in Paragraph 224 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 224 is deemed to contain allegations against Walmart, Walmart denies such allegations.

225. The allegations in Paragraph 225 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 225 is deemed to contain allegations against Walmart, Walmart denies such allegations.

226. The allegations in Paragraph 226 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 226 is deemed to contain allegations against Walmart, Walmart denies such allegations.

227. The allegations in Paragraph 227 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 227 is deemed to contain allegations against Walmart, Walmart denies such allegations.

228. The allegations in Paragraph 228 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 228 is deemed to contain allegations against Walmart, Walmart denies such allegations.

229. The allegations in Paragraph 229 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 229 is deemed to contain allegations against Walmart, Walmart denies such allegations.

230. The allegations in Paragraph 230 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 230 is deemed to contain allegations against Walmart, Walmart denies such allegations.

231. The allegations in Paragraph 231 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 231 is deemed to contain allegations against Walmart, Walmart denies such allegations.

232. The allegations in Paragraph 232 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 232 is deemed to contain allegations against Walmart, Walmart denies such allegations.

233. The allegations in Paragraph 233 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 233 is deemed to contain allegations against Walmart, Walmart denies such allegations.

234. The allegations in Paragraph 234 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 234 is deemed to contain allegations against Walmart, Walmart denies such allegations.

235. The allegations in Paragraph 235 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 235 is deemed to contain allegations against Walmart, Walmart denies such allegations.

236. The allegations in Paragraph 236 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 236 is deemed to contain allegations against Walmart, Walmart denies such allegations.

237. The allegations in Paragraph 237 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 237 is deemed to contain allegations against Walmart, Walmart denies such allegations.

238. The allegations in Paragraph 238 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 238 is deemed to contain allegations against Walmart, Walmart denies such allegations.

239. The allegations in Paragraph 239 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 239 is deemed to contain allegations against Walmart, Walmart denies such allegations.

240. The allegations in Paragraph 240 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 240 is deemed to contain allegations against Walmart, Walmart denies such allegations.

241. The allegations in Paragraph 241 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 241 is deemed to contain allegations against Walmart, Walmart denies such allegations.

242. The allegations in Paragraph 242 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 242 is deemed to contain allegations against Walmart, Walmart denies such allegations.

243. The allegations in Paragraph 243 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 243 is deemed to contain allegations against Walmart, Walmart denies such allegations.

244. The allegations in Paragraph 244 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 244 is deemed to contain allegations against Walmart, Walmart denies such allegations.

245. The allegations in Paragraph 245 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 245 is deemed to contain allegations against Walmart, Walmart denies such allegations.

246. The allegations in Paragraph 246 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 246 is deemed to contain allegations against Walmart, Walmart denies such allegations.

247. The allegations in Paragraph 247 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 247 is deemed to contain allegations against Walmart, Walmart denies such allegations.

248. The allegations in Paragraph 248 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 248 is deemed to contain allegations against Walmart, Walmart denies such allegations.

249. The allegations in Paragraph 249 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 249 is deemed to contain allegations against Walmart, Walmart denies such allegations.

250. The allegations in Paragraph 250 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 250 is deemed to contain allegations against Walmart, Walmart denies such allegations.

251. The allegations in Paragraph 251 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 251 is deemed to contain allegations against Walmart, Walmart denies such allegations.

252. The allegations in Paragraph 252 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 252 is deemed to contain allegations against Walmart, Walmart denies such allegations.

253. The allegations in Paragraph 253 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 253 is deemed to contain allegations against Walmart, Walmart denies such allegations.

254. The allegations in Paragraph 254 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 254 is deemed to contain allegations against Walmart, Walmart denies such allegations.

255. The allegations in Paragraph 255 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 255 is deemed to contain allegations against Walmart, Walmart denies such allegations.

256. The allegations in Paragraph 256 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 256 is deemed to contain allegations against Walmart, Walmart denies such allegations.

257. The allegations in Paragraph 257 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 257 is deemed to contain allegations against Walmart, Walmart denies such allegations.

258. The allegations in Paragraph 258 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 258 is deemed to contain allegations against Walmart, Walmart denies such allegations.

259. The allegations in Paragraph 259 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 259 is deemed to contain allegations against Walmart, Walmart denies such allegations.

260. The allegations in Paragraph 260 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 260 is deemed to contain allegations against Walmart, Walmart denies such allegations.

261. The allegations in Paragraph 261 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 261 is deemed to contain allegations against Walmart, Walmart denies such allegations.

262. The allegations in Paragraph 262 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 262 is deemed to contain allegations against Walmart, Walmart denies such allegations.

263. The allegations in Paragraph 263 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 263 is deemed to contain allegations against Walmart, Walmart denies such allegations.

264. The allegations in Paragraph 264 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 264 is deemed to contain allegations against Walmart, Walmart denies such allegations.

265. The allegations in Paragraph 265 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 265 is deemed to contain allegations against Walmart, Walmart denies such allegations.

266. The allegations in Paragraph 266 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 266 is deemed to contain allegations against Walmart, Walmart denies such allegations.

267. The allegations in Paragraph 267 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 267 is deemed to contain allegations against Walmart, Walmart denies such allegations.

268. The allegations in Paragraph 268 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 268 is deemed to contain allegations against Walmart, Walmart denies such allegations.

269. The allegations in Paragraph 269 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 269 is deemed to contain allegations against Walmart, Walmart denies such allegations.

270. The allegations in Paragraph 270 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 270 is deemed to contain allegations against Walmart, Walmart denies such allegations.

271. The allegations in Paragraph 271 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 271 is deemed to contain allegations against Walmart, Walmart denies such allegations.

272. The allegations in Paragraph 272 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 272 is deemed to contain allegations against Walmart, Walmart denies such allegations.

273. The allegations in Paragraph 273 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 273 is deemed to contain allegations against Walmart, Walmart denies such allegations.

274. The allegations in Paragraph 274 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 274 is deemed to contain allegations against Walmart, Walmart denies such allegations.

275. The allegations in Paragraph 275 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 275 is deemed to contain allegations against Walmart, Walmart denies such allegations.

276. The allegations in Paragraph 276 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 276 is deemed to contain allegations against Walmart, Walmart denies such allegations.

277. The allegations in Paragraph 277 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 277 is deemed to contain allegations against Walmart, Walmart denies such allegations.

278. The allegations in Paragraph 278 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 278 is deemed to contain allegations against Walmart, Walmart denies such allegations.

279. The allegations in Paragraph 279 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 279 is deemed to contain allegations against Walmart, Walmart denies such allegations.

280. The allegations in Paragraph 280 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 280 is deemed to contain allegations against Walmart, Walmart denies such allegations.

281. The allegations in Paragraph 281 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 281 is deemed to contain allegations against Walmart, Walmart denies such allegations.

282. The allegations in Paragraph 282 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 282 is deemed to contain allegations against Walmart, Walmart denies such allegations.

283. The allegations in Paragraph 283 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 283 is deemed to contain allegations against Walmart, Walmart denies such allegations.

284. The allegations in Paragraph 284 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 284 is deemed to contain allegations against Walmart, Walmart denies such allegations.

285. The allegations in Paragraph 285 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 285 is deemed to contain allegations against Walmart, Walmart denies such allegations.

286. The allegations in Paragraph 286 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 286 is deemed to contain allegations against Walmart, Walmart denies such allegations.

287. The allegations in Paragraph 287 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 287 is deemed to contain allegations against Walmart, Walmart denies such allegations.

288. The allegations in Paragraph 288 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 288 is deemed to contain allegations against Walmart, Walmart denies such allegations.

289. The allegations in Paragraph 289 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 289 is deemed to contain allegations against Walmart, Walmart denies such allegations.

290. The allegations in Paragraph 290 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 290 is deemed to contain allegations against Walmart, Walmart denies such allegations.

291. The allegations in Paragraph 291 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 291 is deemed to contain allegations against Walmart, Walmart denies such allegations.

292. The allegations in Paragraph 292 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 292 is deemed to contain allegations against Walmart, Walmart denies such allegations.

293. The allegations in Paragraph 293 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 293 is deemed to contain allegations against Walmart, Walmart denies such allegations.

294. The allegations in Paragraph 294 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 294 is deemed to contain allegations against Walmart, Walmart denies such allegations.

295. The allegations in Paragraph 295 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 295 is deemed to contain allegations against Walmart, Walmart denies such allegations.

296. The allegations in Paragraph 296 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 296 is deemed to contain allegations against Walmart, Walmart denies such allegations.

297. The allegations in Paragraph 297 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 297 is deemed to contain allegations against Walmart, Walmart denies such allegations.

298. The allegations in Paragraph 298 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 298 is deemed to contain allegations against Walmart, Walmart denies such allegations.

299. The allegations in Paragraph 299 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 299 is deemed to contain allegations against Walmart, Walmart denies such allegations.

300. The allegations in Paragraph 300 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 300 is deemed to contain allegations against Walmart, Walmart denies such allegations.

301. The allegations in Paragraph 301 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 301 is deemed to contain allegations against Walmart, Walmart denies such allegations.

302. The allegations in Paragraph 302 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 302 is deemed to contain allegations against Walmart, Walmart denies such allegations.

303. The allegations in Paragraph 303 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 303 is deemed to contain allegations against Walmart, Walmart denies such allegations.

304. The allegations in Paragraph 304 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 304 is deemed to contain allegations against Walmart, Walmart denies such allegations.

305. The allegations in Paragraph 305 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 305 is deemed to contain allegations against Walmart, Walmart denies such allegations.

306. The allegations in Paragraph 306 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 306 is deemed to contain allegations against Walmart, Walmart denies such allegations.

307. The allegations in Paragraph 307 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 307 is deemed to contain allegations against Walmart, Walmart denies such allegations.

308. The allegations in Paragraph 308 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 308 is deemed to contain allegations against Walmart, Walmart denies such allegations.

309. The allegations in Paragraph 309 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 309 is deemed to contain allegations against Walmart, Walmart denies such allegations.

310. The allegations in Paragraph 310 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 310 is deemed to contain allegations against Walmart, Walmart denies such allegations.

311. The allegations in Paragraph 311 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 311 is deemed to contain allegations against Walmart, Walmart denies such allegations.

312. The allegations in Paragraph 312 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 312 is deemed to contain allegations against Walmart, Walmart denies such allegations.

313. The allegations in Paragraph 313 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 313 is deemed to contain allegations against Walmart, Walmart denies such allegations.

314. Paragraph 314 purports to compile governmentally-disclosed ARCOS data which speaks for itself, and Walmart denies any characterization thereof. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 314, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied. To the extent Paragraph 314 purports to contain factual allegations of wrongdoing, Walmart denies such allegations.

315. The allegations in Paragraph 315 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 315 is deemed to contain allegations against Walmart, Walmart denies such allegations.

316. The allegations in Paragraph 316 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without

knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 316 is deemed to contain allegations against Walmart, Walmart denies such allegations.

317. The allegations in Paragraph 317 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 317 is deemed to contain allegations against Walmart, Walmart denies such allegations.

318. The allegations in Paragraph 318 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 318 is deemed to contain allegations against Walmart, Walmart denies such allegations.

319. The allegations in Paragraph 319 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 319 is deemed to contain allegations against Walmart, Walmart denies such allegations.

320. The allegations in Paragraph 320 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 320 is deemed to contain allegations against Walmart, Walmart denies such allegations.

321. The allegations in Paragraph 321 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 321 is deemed to contain allegations against Walmart, Walmart denies such allegations.

322. The allegations in Paragraph 322 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 322 is deemed to contain allegations against Walmart, Walmart denies such allegations.

323. The allegations in Paragraph 323 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 323 is deemed to contain allegations against Walmart, Walmart denies such allegations.

324. The allegations in Paragraph 324 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 324 is deemed to contain allegations against Walmart, Walmart denies such allegations.

325. The allegations in Paragraph 325 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 325 is deemed to contain allegations against Walmart, Walmart denies such allegations.

326. The allegations in Paragraph 326 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 326 is deemed to contain allegations against Walmart, Walmart denies such allegations.

327. The allegations in Paragraph 327 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 327 is deemed to contain allegations against Walmart, Walmart denies such allegations.

328. The allegations in Paragraph 328 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 328 is deemed to contain allegations against Walmart, Walmart denies such allegations.

329. Walmart admits that at times relevant to this litigation, Walmart Inc., through its subsidiary, distributed certain prescription controlled substances listed in Schedules II – V to certain retail pharmacies operated by Walmart Inc. and/or its subsidiaries in the United States. Walmart also admits that at times relevant to this litigation, pharmacists working at pharmacies operated by Walmart Inc. and/or its subsidiaries dispensed certain prescription controlled substances. Walmart denies the remaining allegations in Paragraph 329.

330. Walmart admits that, upon information and belief, Walmart Inc., through its subsidiaries, is the largest private employer in the United States, employing more than 1.5 million people. Walmart denies the remaining allegations in Paragraph 330.

331. Walmart admits that for a time period prior to May 2018, Walmart Inc., through its subsidiary, distributed certain prescription controlled substances listed in Schedule II to certain retail pharmacies operated by Walmart Inc. and/or its subsidiaries in the United States. Walmart further admits that for a time period through May 2018, Walmart Inc., through its subsidiary, distributed certain prescription controlled substances listed in Schedules III through V to certain retail pharmacies operated by Walmart Inc. and/or its subsidiaries in the United States.

332. Walmart denies the allegations in Paragraph 332.

333. Walmart admits that employees at pharmacy distribution centers operated by Walmart Inc. and/or its subsidiary monitored orders and alerted managers of potential issues, who would follow up on orders by speaking with pharmacists, and escalate issues to market and/or region leadership or other Walmart employees as needed to investigate orders and/or resolve concerns. Walmart denies the remaining allegations in Paragraph 333.

334. Walmart denies the allegations in Paragraph 334.

335. Walmart admits that, from 2011 until approximately 2015, Walmart implemented order alerts in Reddwerks (Walmart's order fulfillment system) that flagged orders for controlled substances of 50 bottles or more and orders for amounts 30% higher than a rolling 4-week average for that item. Walmart also admits that, from approximately July 2012 until approximately 2015, Walmart also implemented a hard limit of 20 bottles for shipments of Oxycodone 30 mg and internally circulated a report listing orders for Schedule II controlled substances of more than 20

bottles for further review and follow-up as needed. Walmart denies the remaining allegations in Paragraph 335.

336. Walmart denies the allegations in Paragraph 336 and further denies that Plaintiff has accurately stated Walmart's obligations under the law.

337. Walmart admits that in mid-2012 Walmart implemented a hard limit of 20 bottles for orders of Oxycodone 30 mg in addition to its other order monitoring processes, policies and procedures. Walmart denies the remaining allegations in Paragraph 337 and further denies that Plaintiff has accurately stated Walmart's obligations under the law.

338. Walmart admits that in mid-2012, Walmart also monitored weekly orders for Schedule II controlled substances of more than 20 bottles. Walmart further admits that Walmart internally circulated a report listing orders for Schedule II controlled substances of more than 20 bottles for further review and follow-up as needed. Walmart denies the remaining allegations in Paragraph 338.

339. Walmart denies the allegations in this Paragraph and affirmatively states that Walmart and Sam's Club pharmacies were required to place all orders for Schedule II controlled substances through Walmart's Schedule II controlled substance distribution center. Walmart further affirmatively states that if Walmart's Schedule II controlled substances distribution center did not carry the ordered item or it was out of stock, the order placed with Walmart's controlled substances distribution center could be routed by Walmart's controlled substances distribution center to be fulfilled by a third-party distributor. Walmart admits that during certain periods of time the third-party distributor described above was (i) McKesson for Walmart pharmacies and (ii) AmerisourceBergen or McKesson for Sam's Club pharmacies located in New Mexico. Walmart denies the remaining allegations in Paragraph 339.

340. Paragraph 340 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. Paragraph 340 also states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 340 and further denies the allegations contained therein.

341. Walmart admits that, in 2015, Walmart implemented store-item specific thresholds as part of its order monitoring system. These store-item specific thresholds were generally calculated based on the store's weekly average for that item plus three standard deviations based on 52 weeks of shipment data for that store. Walmart admits that these store-specific thresholds included certain minimum and maximum thresholds. Walmart denies the remaining allegations in Paragraph 341.

342. Walmart denies the allegations in Paragraph 342.

343. Paragraph 343 purports to compile governmentally-disclosed ARCOS data which speaks for itself, and Walmart denies any characterization thereof. Walmart denies the remaining allegations in Paragraph 343.

344. Paragraph 344 appears to refer to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 344, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied. To the extent Paragraph 344 purports to contain factual allegations of wrongdoing, Walmart denies such allegations.

345. Paragraph 345 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 345 and further denies the allegations contained therein.

346. Walmart admits that during the time period it self-distributed controlled substances, Walmart Inc., through its subsidiary, distributed certain prescription opioid medication to certain retail pharmacies operated by Walmart Inc. and/or its subsidiaries in states other than New Mexico. Walmart also admits that at times relevant to this litigation, pharmacists working at pharmacies operated by Walmart Inc. and/or its subsidiaries in states other than New Mexico dispensed certain prescription opioid medication. Walmart denies the remaining allegations in Paragraph 346.

347. Paragraph 347 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 347 and further denies the allegations contained therein.

348. Paragraph 348 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 348 and further denies the allegations contained therein.

349. Paragraph 349 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 349 and further denies the allegations contained therein.

350. Paragraph 350 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 350 and further denies the allegations contained therein.

351. Paragraph 351 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 351 and further denies the allegations contained therein.

352. Walmart denies the allegations in Paragraph 352.

353. Paragraph 353 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 353 and further denies the allegations contained therein.

354. Paragraph 354 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 354 and further denies the allegations contained therein.

355. Walmart admits that Walmart Inc. and/or its subsidiaries operated retail pharmacies at certain locations in the United States. Walmart also admits that Walmart Inc., through its subsidiary, currently has five pharmacy distribution centers that distribute certain non-controlled prescription medication to certain pharmacies operated by Walmart Inc. and/or its subsidiaries. Walmart further admits that Walmart Inc. and/or its subsidiaries operated a mail-order pharmacy and a specialty pharmacy, but denies that those pharmacies were located in the County. Walmart denies the remaining allegations in Paragraph 355.

356. Paragraph 356 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. Walmart admits that it provided pharmacists working at pharmacies operated by Walmart Inc. and/or its subsidiaries with a variety of resources to aid in their use of their professional judgment, including policies and training that provided guidance on, among other topics, evaluating prescriptions for controlled substances. Walmart denies the remaining allegations in Paragraph 356.

357. Walmart admits that during the time period it self-distributed controlled substances, Walmart Inc., through its subsidiary, distributed certain prescription medication to certain pharmacies operated by Walmart Inc. and/or its subsidiaries. Walmart also admits that under certain circumstances a third-party distributor may have filled orders for certain prescription

medications placed by certain Walmart and/or Sam's Club pharmacies. Walmart denies the remaining allegations in Paragraph 357, including that Walmart and/or Sam's Club pharmacies were able to have the same order for prescription medication filled by both Walmart and a third-party distributor.

358. Paragraph 358 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 358 and further denies the allegations contained therein.

359. Paragraph 359 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 359 and further denies the allegations contained therein.

360. Paragraph 360 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 360 and further denies the allegations contained therein.

361. Walmart admits that at times relevant to this litigation, it possessed certain data on prescription opioid medication it distributed to its own pharmacies. Walmart denies the remaining allegations in Paragraph 361.

362. Walmart admits that at times relevant to this litigation, it possessed certain data on prescription opioid medication dispensed by pharmacists working at pharmacies operated by Walmart Inc. and/or its subsidiaries. Walmart denies the remaining allegations in Paragraph 362.

363. Walmart is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 363; such allegations are therefore deemed to be denied.

364. Walmart is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 364; such allegations are therefore deemed to be denied.

365. Walmart is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 365; such allegations are therefore deemed to be denied.

366. Walmart is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 366; such allegations are therefore deemed to be denied.

367. Walmart is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 367; such allegations are therefore deemed to be denied.

368. Walmart denies the allegations in Paragraph 368.

369. Paragraph 369 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. During all relevant times, Walmart pharmacists were permitted and encouraged to exercise their professional judgment to not fill prescriptions they deemed were not appropriate. Walmart admits that its relevant policies were amended in 2017 to expressly allow the use of “blanket refusal” forms; however, even before 2017, Walmart pharmacists were permitted and encouraged to refuse to fill any prescriptions from a particular prescriber they deemed were not appropriate. Walmart further admits that its policies were amended in 2017 to describe procedures for central blocks of prescribers. Walmart denies the remaining allegations in Paragraph 369.

370. Paragraph 370 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. During all relevant times, Walmart pharmacists were permitted and encouraged to exercise their professional judgment to not fill prescriptions they deemed were not appropriate. Walmart admits that its relevant policies were amended in 2017 to expressly allow the use of “blanket refusal” forms; however, even before 2017, Walmart pharmacists were permitted and encouraged to refuse to fill any prescriptions from a particular prescriber they deemed were not appropriate. Walmart further admits that its policies were amended in 2017 to describe procedures for central blocks of prescribers. Walmart denies the remaining allegations in Paragraph 370.

371. Walmart admits that prior to 2013, Walmart pharmacists’ bonus compensation was based on multiple considerations, including, among other things, the aggregate of all prescriptions filled by the pharmacist’s store. Walmart also admits that in 2013, Walmart removed controlled substance prescriptions from any prescription count component of bonus compensation for Walmart pharmacists. Walmart denies the remaining allegations in Paragraph 371

372. Walmart admits that it received a show cause order from DEA on November 13, 2009, relating to a store located in California operated by Walmart and/or one of its subsidiaries. The November 13, 2009 show cause order speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations contained in Paragraph 372.

373. Walmart admits that it entered into a memorandum of agreement with DEA on March 17, 2011. The March 17, 2011 memorandum of agreement speaks for itself and Walmart denies any characterization thereof. Walmart denies the remaining allegations in Paragraph 373.

374. Walmart admits that it entered into a memorandum of agreement with DEA on March 17, 2011. The March 17, 2011 memorandum of agreement speaks for itself and Walmart denies any characterization thereof. Walmart denies the remaining allegations in Paragraph 374.

375. Walmart admits that it entered into a memorandum of agreement with DEA on March 17, 2011. The March 17, 2011 memorandum of agreement speaks for itself and Walmart denies any characterization thereof. Walmart denies the remaining allegations in Paragraph 375.

376. Walmart denies the allegations in Paragraph 376.

377. Paragraph 377 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 377.

378. Paragraph 378 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. Answering further, Walmart admits that the U.S. Department of Justice (“DOJ”) filed a lawsuit against Walmart on or around December 22, 2020 in the District of Delaware styled, *United States of America v. Walmart Inc. et al.*, No. 1:20-cv-01744. Walmart denies the remaining allegations in Paragraph 378.

379. Paragraph 379 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 379.

380. Paragraph 380 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 380 and further denies the allegations contained therein.

381. Paragraph 381 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 381 and further denies the allegations contained therein.

382. The allegations in Paragraph 382 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 382 is deemed to contain allegations against Walmart, Walmart denies such allegations.

383. The allegations in Paragraph 383 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 383 is deemed to contain allegations against Walmart, Walmart denies such allegations.

384. The allegations in Paragraph 384 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 384 is deemed to contain allegations against Walmart, Walmart denies such allegations.

385. The allegations in Paragraph 385 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 385 is deemed to contain allegations against Walmart, Walmart denies such allegations.

386. The allegations in Paragraph 386 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 386 is deemed to contain allegations against Walmart, Walmart denies such allegations.

387. The allegations in Paragraph 387 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 387 is deemed to contain allegations against Walmart, Walmart denies such allegations.

388. The allegations in Paragraph 388 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 388 is deemed to contain allegations against Walmart, Walmart denies such allegations.

389. The allegations in Paragraph 389 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 389 is deemed to contain allegations against Walmart, Walmart denies such allegations.

390. The allegations in Paragraph 390 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 390 is deemed to contain allegations against Walmart, Walmart denies such allegations.

391. The allegations in Paragraph 391 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 391 is deemed to contain allegations against Walmart, Walmart denies such allegations.

392. The allegations in Paragraph 392 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 392 is deemed to contain allegations against Walmart, Walmart denies such allegations.

393. The allegations in Paragraph 393 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 393 is deemed to contain allegations against Walmart, Walmart denies such allegations.

394. The allegations in Paragraph 394 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 394 is deemed to contain allegations against Walmart, Walmart denies such allegations.

395. The allegations in Paragraph 395 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 395 is deemed to contain allegations against Walmart, Walmart denies such allegations.

396. The allegations in Paragraph 396 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 396 is deemed to contain allegations against Walmart, Walmart denies such allegations.

397. The allegations in Paragraph 397 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 397 is deemed to contain allegations against Walmart, Walmart denies such allegations.

398. The allegations in Paragraph 398 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 398 is deemed to contain allegations against Walmart, Walmart denies such allegations.

399. The allegations in Paragraph 399 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 399 is deemed to contain allegations against Walmart, Walmart denies such allegations.

400. The allegations in Paragraph 400 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 400 is deemed to contain allegations against Walmart, Walmart denies such allegations.

401. The allegations in Paragraph 401 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 401 is deemed to contain allegations against Walmart, Walmart denies such allegations.

402. The allegations in Paragraph 402 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 402 is deemed to contain allegations against Walmart, Walmart denies such allegations.

403. The allegations in Paragraph 403 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 403 is deemed to contain allegations against Walmart, Walmart denies such allegations.

404. The allegations in Paragraph 404 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 404 is deemed to contain allegations against Walmart, Walmart denies such allegations.

405. The allegations in Paragraph 405 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 405 is deemed to contain allegations against Walmart, Walmart denies such allegations.

406. The allegations in Paragraph 406 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 406 is deemed to contain allegations against Walmart, Walmart denies such allegations.

407. Paragraph 407 purports to compile governmentally-disclosed ARCOS data which speaks for itself, and Walmart denies any characterization thereof. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 407, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied. To the extent Paragraph 407 purports to contain factual allegations of wrongdoing, Walmart denies such allegations.

408. The allegations in Paragraph 408 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 408 is deemed to contain allegations against Walmart, Walmart denies such allegations.

409. The allegations in Paragraph 409 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 409 is deemed to contain allegations against Walmart, Walmart denies such allegations.

410. The allegations in Paragraph 410 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 410 is deemed to contain allegations against Walmart, Walmart denies such allegations.

411. The allegations in Paragraph 411 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 411 is deemed to contain allegations against Walmart, Walmart denies such allegations.

412. The allegations in Paragraph 412 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 412 is deemed to contain allegations against Walmart, Walmart denies such allegations.

413. The allegations in Paragraph 413 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 413 is deemed to contain allegations against Walmart, Walmart denies such allegations.

414. The allegations in Paragraph 414 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 414 is deemed to contain allegations against Walmart, Walmart denies such allegations.

415. The allegations in Paragraph 415 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 415 is deemed to contain allegations against Walmart, Walmart denies such allegations.

416. The allegations in Paragraph 416 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 416 is deemed to contain allegations against Walmart, Walmart denies such allegations.

417. The allegations in Paragraph 417 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 417 is deemed to contain allegations against Walmart, Walmart denies such allegations.

418. The allegations in Paragraph 418 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 418 is deemed to contain allegations against Walmart, Walmart denies such allegations.

419. The allegations in Paragraph 419 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 419 is deemed to contain allegations against Walmart, Walmart denies such allegations.

420. The allegations in Paragraph 420 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 420 is deemed to contain allegations against Walmart, Walmart denies such allegations.

421. The allegations in Paragraph 421 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 421 is deemed to contain allegations against Walmart, Walmart denies such allegations.

422. The allegations in Paragraph 422 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 422 is deemed to contain allegations against Walmart, Walmart denies such allegations.

423. The allegations in Paragraph 423 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 423 is deemed to contain allegations against Walmart, Walmart denies such allegations.

424. The allegations in Paragraph 424 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 424 is deemed to contain allegations against Walmart, Walmart denies such allegations.

425. The allegations in Paragraph 425 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 425 is deemed to contain allegations against Walmart, Walmart denies such allegations.

426. The allegations in Paragraph 426 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 426 is deemed to contain allegations against Walmart, Walmart denies such allegations.

427. The allegations in Paragraph 427 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 427 is deemed to contain allegations against Walmart, Walmart denies such allegations.

428. The allegations in Paragraph 428 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 428 is deemed to contain allegations against Walmart, Walmart denies such allegations.

429. The allegations in Paragraph 429 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 429 is deemed to contain allegations against Walmart, Walmart denies such allegations.

430. Walmart denies the allegations in Paragraph 430 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 430, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

431. Paragraph 431 refers to a document and recites law that speak for themselves, and Walmart denies any characterizations thereof. Paragraph 431 also states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 431 and further denies the remaining allegations contained therein to the extent

they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 431, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

432. The allegations in Paragraph 432 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 432 is deemed to contain allegations against Walmart, Walmart denies such allegations.

433. The allegations in Paragraph 433 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 433 is deemed to contain allegations against Walmart, Walmart denies such allegations.

434. The allegations in Paragraph 434 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 434 is deemed to contain allegations against Walmart, Walmart denies such allegations.

435. The allegations in Paragraph 435 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 435 is deemed to contain allegations against Walmart, Walmart denies such allegations.

436. Paragraph 436 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 436 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 436, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

437. Paragraph 437 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 437 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 437, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

438. The allegations in Paragraph 438 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 438 is deemed to contain allegations against Walmart, Walmart denies such allegations.

439. The allegations in Paragraph 439 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 439 is deemed to contain allegations against Walmart, Walmart denies such allegations.

440. The allegations in Paragraph 440 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without

knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 440 is deemed to contain allegations against Walmart, Walmart denies such allegations.

441. The allegations in Paragraph 441 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 441 is deemed to contain allegations against Walmart, Walmart denies such allegations.

442. The allegations in Paragraph 442 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 442 is deemed to contain allegations against Walmart, Walmart denies such allegations.

443. The allegations in Paragraph 443 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 443 is deemed to contain allegations against Walmart, Walmart denies such allegations.

444. The allegations in Paragraph 444 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 444 is deemed to contain allegations against Walmart, Walmart denies such allegations.

445. The allegations in Paragraph 445 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 445 is deemed to contain allegations against Walmart, Walmart denies such allegations.

446. The allegations in Paragraph 446 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 446 is deemed to contain allegations against Walmart, Walmart denies such allegations.

447. The allegations in Paragraph 447 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 447 is deemed to contain allegations against Walmart, Walmart denies such allegations.

448. The allegations in Paragraph 448 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 448 is deemed to contain allegations against Walmart, Walmart denies such allegations.

449. The allegations in Paragraph 449 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 449 is deemed to contain allegations against Walmart, Walmart denies such allegations.

450. The allegations in Paragraph 450 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 450 is deemed to contain allegations against Walmart, Walmart denies such allegations.

451. The allegations in Paragraph 451 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 451 is deemed to contain allegations against Walmart, Walmart denies such allegations.

452. The allegations in Paragraph 452 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 452 is deemed to contain allegations against Walmart, Walmart denies such allegations.

453. The allegations in Paragraph 453 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 453 is deemed to contain allegations against Walmart, Walmart denies such allegations.

454. Walmart denies the allegations in Paragraph 454 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 454, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

455. Paragraph 455 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 455 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 455, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

456. Paragraph 456 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 456 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 456, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

457. Paragraph 457 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. To the extent Paragraph 457 purports to contain factual allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 457, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

458. Paragraph 458 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 458 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form

a belief as to the truth of the allegations in Paragraph 458, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

459. Paragraph 459 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 459 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 459, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

460. Paragraph 460 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 460; such allegations are therefore deemed to be denied.

461. Paragraph 461 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. To the extent Paragraph 461 purports to contain factual allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 461, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

462. Paragraph 462 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 462 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 462, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

463. During all relevant times, Walmart pharmacists were permitted and encouraged to exercise their professional judgment to not fill prescriptions they deemed were not appropriate. Walmart admits that its relevant policies were amended in 2017 to expressly allow the use of “blanket refusal” forms; however, even before 2017, Walmart pharmacists were permitted and encouraged to refuse to fill any prescriptions from a particular prescriber they deemed were not appropriate. Walmart further admits that its policies were amended in 2017 to describe procedures for central blocks of prescribers. Walmart denies the remaining allegations in Paragraph 463.

464. Paragraph 464 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. To the extent Paragraph 464 is deemed to contain allegations against Walmart, including any allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 464; such allegations are therefore deemed to be denied.

465. Paragraph 465 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. To the extent Paragraph 465 is deemed to contain allegations against Walmart, including any allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 465; such allegations are therefore deemed to be denied.

466. Paragraph 466 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. To the extent Paragraph 466 is deemed to contain allegations against Walmart, including any allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form

a belief as to the truth of the allegations in Paragraph 466, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

467. Paragraph 467 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Answering further, the allegations in Paragraph 467 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 467 is deemed to contain allegations against Walmart, Walmart denies such allegations.

468. Paragraph 468 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Answering further, the allegations in Paragraph 468 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 468 is deemed to contain allegations against Walmart, Walmart denies such allegations.

469. Paragraph 469 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 469 to the extent they apply to Walmart, including that Walmart is or was a member of HDA and/or its predecessors HDMA and NWDA. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 469, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

470. Paragraph 470 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 470 to the extent they apply to Walmart, including that Walmart is or was a member of HDA and/or its predecessors

HDMA and NWDA. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 470, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

471. Paragraph 471 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 471 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 471, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

472. Walmart denies the allegations in Paragraph 472 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 472, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

473. Paragraph 473 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. Walmart admits that NACDS provided support for S. 483, including signing a letter supporting the bill that was sent to Senators Hatch and White. Walmart denies the remaining allegations in Paragraph 473 to the extent they apply to Walmart, including that Walmart is or was a member of HDA and/or its predecessors HDMA and NWDA. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 473, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

474. Paragraph 474 refers to a document and purports to recite law that speak for themselves, and Walmart denies any characterizations thereof. Paragraph 474 also states legal conclusions to which no response is required. To the extent a response is required, Walmart denies

the legal conclusions stated in Paragraph 474. Further, the allegations in Paragraph 474 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 474 is deemed to contain allegations against Walmart, including any allegations of wrongdoing, Walmart denies such allegations.

475. The allegations in Paragraph 475 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 475 is deemed to contain allegations against Walmart, Walmart denies such allegations.

476. The allegations in Paragraph 476 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 476 is deemed to contain allegations against Walmart, Walmart denies such allegations.

477. Paragraph 477 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 477 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 477, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

478. Paragraph 478 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart is otherwise without knowledge or information sufficient to

form a belief as to the truth of the allegations in Paragraph 478; such allegations are therefore deemed to be denied.

479. Paragraph 479 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 479, including that Walmart is or was a member of HDA and/or its predecessor HDMA.

480. Paragraph 480 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart admits that the NACDS Policy Council has discussed certain legislation relating to regulatory requirements applicable to pharmacists. Walmart denies the remaining allegations in Paragraph 480 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 480, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

481. Paragraph 481 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 481 to the extent they apply to Walmart, including that Walmart is or was a member of HDA and/or its predecessors HDMA and NWDA. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 481, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

482. Paragraph 482 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 482 to the extent they apply to Walmart, including that Walmart is or was a member of HDA and/or its predecessors HDMA and NWDA. Walmart is otherwise without knowledge or information sufficient to form a

belief as to the truth of the allegations in Paragraph 482, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

483. Paragraph 483 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 483 to the extent they apply to Walmart, including that Walmart is or was a member of HDA and/or its predecessors HDMA and NWDA. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 483, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

484. Walmart denies the allegations in Paragraph 484 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 484, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

485. The allegations in Paragraph 485 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 485 is deemed to contain allegations against Walmart, Walmart denies such allegations.

486. The allegations in Paragraph 486 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 486 is deemed to contain allegations against Walmart, Walmart denies such allegations.

487. The allegations in Paragraph 487 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 487 is deemed to contain allegations against Walmart, Walmart denies such allegations.

488. Paragraph 488 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart admits that McKesson and Walmart formed ClarusOne Sourcing Service LLP in May 2016 to source generic pharmaceuticals to members of the organization, including Walmart and McKesson. Walmart denies the remaining allegations in Paragraph 488.

489. Walmart denies the allegations in Paragraph 489 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 489, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

490. Walmart denies the allegations in Paragraph 490 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 490, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

491. Paragraph 491 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 491 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 491, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

492. Walmart denies the allegations in Paragraph 492 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 492, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

493. Walmart denies the allegations in Paragraph 493 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 493, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

494. Walmart denies the allegations in Paragraph 494 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 494, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

495. The allegations in Paragraph 495 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 495 is deemed to contain allegations against Walmart, Walmart denies such allegations.

496. The allegations in Paragraph 496 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 496 is deemed to contain allegations against Walmart, Walmart denies such allegations.

497. The allegations in Paragraph 497 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 497 is deemed to contain allegations against Walmart, Walmart denies such allegations.

498. The allegations in Paragraph 498 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 498 is deemed to contain allegations against Walmart, Walmart denies such allegations.

499. The allegations in Paragraph 499 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 499 is deemed to contain allegations against Walmart, Walmart denies such allegations.

500. The allegations in Paragraph 500 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 500 is deemed to contain allegations against Walmart, Walmart denies such allegations.

501. The allegations in Paragraph 501 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 501 is deemed to contain allegations against Walmart, Walmart denies such allegations.

502. The allegations in Paragraph 502 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 502 is deemed to contain allegations against Walmart, Walmart denies such allegations.

503. The allegations in Paragraph 503 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 503 is deemed to contain allegations against Walmart, Walmart denies such allegations.

504. The allegations in Paragraph 504 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 504 is deemed to contain allegations against Walmart, Walmart denies such allegations.

505. The allegations in Paragraph 505 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 505 is deemed to contain allegations against Walmart, Walmart denies such allegations.

506. The allegations in Paragraph 506 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 506 is deemed to contain allegations against Walmart, Walmart denies such allegations.

507. The allegations in Paragraph 507 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 507 is deemed to contain allegations against Walmart, Walmart denies such allegations.

508. The allegations in Paragraph 508 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 508 is deemed to contain allegations against Walmart, Walmart denies such allegations.

509. The allegations in Paragraph 509 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 509 is deemed to contain allegations against Walmart, Walmart denies such allegations.

510. The allegations in Paragraph 510 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 510 is deemed to contain allegations against Walmart, Walmart denies such allegations.

511. The allegations in Paragraph 511 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 511 is deemed to contain allegations against Walmart, Walmart denies such allegations.

512. The allegations in Paragraph 512 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 512 is deemed to contain allegations against Walmart, Walmart denies such allegations.

513. The allegations in Paragraph 513 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 513 is deemed to contain allegations against Walmart, Walmart denies such allegations.

514. The allegations in Paragraph 514 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 514 is deemed to contain allegations against Walmart, Walmart denies such allegations.

515. The allegations in Paragraph 515 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 515 is deemed to contain allegations against Walmart, Walmart denies such allegations.

516. The allegations in Paragraph 516 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 516 is deemed to contain allegations against Walmart, Walmart denies such allegations.

517. The allegations in Paragraph 517 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 517 is deemed to contain allegations against Walmart, Walmart denies such allegations.

518. The allegations in Paragraph 518 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 518 is deemed to contain allegations against Walmart, Walmart denies such allegations.

519. The allegations in Paragraph 519 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 519 is deemed to contain allegations against Walmart, Walmart denies such allegations.

520. The allegations in Paragraph 520 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 520 is deemed to contain allegations against Walmart, Walmart denies such allegations.

521. The allegations in Paragraph 521 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 521 is deemed to contain allegations against Walmart, Walmart denies such allegations.

522. The allegations in Paragraph 522 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 522 is deemed to contain allegations against Walmart, Walmart denies such allegations.

523. The allegations in Paragraph 523 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 523 is deemed to contain allegations against Walmart, Walmart denies such allegations.

524. Paragraph 524 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 524 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 524, such allegations are therefore deemed to be denied.

525. Walmart denies the allegations in Paragraph 525 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 525, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

526. Paragraph 526 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 526 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 526, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

527. Walmart denies the allegations in Paragraph 527 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 527, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

528. Walmart denies the allegations in Paragraph 528 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 528, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

529. Walmart denies the allegations in Paragraph 529 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 529, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

530. Walmart has expressed its commitment to taking an active role in the fight against our nation's opioid issue. Walmart denies the remaining allegations in Paragraph 530 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 530, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

531. The allegations in Paragraph 531 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 531 is deemed to contain allegations against Walmart, Walmart denies such allegations.

532. The allegations in Paragraph 532 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 532 is deemed to contain allegations against Walmart, Walmart denies such allegations.

533. The allegations in Paragraph 533 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 533 is deemed to contain allegations against Walmart, Walmart denies such allegations.

534. The allegations in Paragraph 534 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 534 is deemed to contain allegations against Walmart, Walmart denies such allegations.

535. The allegations in Paragraph 535 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 535 is deemed to contain allegations against Walmart, Walmart denies such allegations.

536. The allegations in Paragraph 536 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 536 is deemed to contain allegations against Walmart, Walmart denies such allegations.

537. The allegations in Paragraph 537 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 537 is deemed to contain allegations against Walmart, Walmart denies such allegations.

538. The allegations in Paragraph 538 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 538 is deemed to contain allegations against Walmart, Walmart denies such allegations.

539. Paragraph 539 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 539.

540. Paragraph 540 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. Answering further, Walmart admits that the U.S. Department of Justice (“DOJ”) filed a lawsuit against Walmart on or around December 22, 2020 in the District of Delaware styled, *United States of America v. Walmart Inc. et al.*, No. 1:20-cv-01744. Walmart denies the remaining allegations in Paragraph 540 to the extent they apply to Walmart.

541. The allegations in Paragraph 541 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 541 is deemed to contain allegations against Walmart, Walmart denies such allegations.

542. Paragraph 542 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in this Paragraph 542 to the extent they apply to Walmart, including that Walmart is or was a member of HDA and/or its predecessors HDMA and NWDA. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 542, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

543. Paragraph 543 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 543 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 543, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

544. Walmart admits that the National Association of Chain Drug Stores filed an amicus curiae brief in support of Defendants' motion to dismiss in *United States of America v. Walmart Inc. et al.*, No. 1:20-cv-01744 (D. Del.).

545. Paragraph 545 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 545 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 545, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

546. Walmart denies the allegations in Paragraph 546 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 546, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

547. The allegations in Paragraph 547 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 547 is deemed to contain allegations against Walmart, Walmart denies such allegations.

548. The allegations in Paragraph 548 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 548 is deemed to contain allegations against Walmart, Walmart denies such allegations.

549. The allegations in Paragraph 549 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 549 is deemed to contain allegations against Walmart, Walmart denies such allegations.

550. The allegations in Paragraph 550 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 550 is deemed to contain allegations against Walmart, Walmart denies such allegations.

551. The allegations in Paragraph 551 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 551 is deemed to contain allegations against Walmart, Walmart denies such allegations.

552. The allegations in Paragraph 552 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 552 is deemed to contain allegations against Walmart, Walmart denies such allegations.

553. The allegations in Paragraph 553 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 553 is deemed to contain allegations against Walmart, Walmart denies such allegations.

554. The allegations in Paragraph 554 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 554 is deemed to contain allegations against Walmart, Walmart denies such allegations.

555. The allegations in Paragraph 555 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 555 is deemed to contain allegations against Walmart, Walmart denies such allegations.

556. The allegations in Paragraph 556 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 556 is deemed to contain allegations against Walmart, Walmart denies such allegations.

557. The allegations in Paragraph 557 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 557 is deemed to contain allegations against Walmart, Walmart denies such allegations.

558. The allegations in Paragraph 558 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 558 is deemed to contain allegations against Walmart, Walmart denies such allegations.

559. The allegations in Paragraph 559 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 559 is deemed to contain allegations against Walmart, Walmart denies such allegations.

560. The allegations in Paragraph 560 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 560 is deemed to contain allegations against Walmart, Walmart denies such allegations.

561. The allegations in Paragraph 561 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 561 is deemed to contain allegations against Walmart, Walmart denies such allegations.

562. The allegations in Paragraph 562 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 562 is deemed to contain allegations against Walmart, Walmart denies such allegations.

563. The allegations in Paragraph 563 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 563 is deemed to contain allegations against Walmart, Walmart denies such allegations.

564. The allegations in Paragraph 564 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 564 is deemed to contain allegations against Walmart, Walmart denies such allegations.

565. The allegations in Paragraph 565 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 565 is deemed to contain allegations against Walmart, Walmart denies such allegations.

566. The allegations in Paragraph 566 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 566 is deemed to contain allegations against Walmart, Walmart denies such allegations.

567. The allegations in Paragraph 567 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 567 is deemed to contain allegations against Walmart, Walmart denies such allegations.

568. The allegations in Paragraph 568 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 568 is deemed to contain allegations against Walmart, Walmart denies such allegations.

569. The allegations in Paragraph 569 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 569 is deemed to contain allegations against Walmart, Walmart denies such allegations.

570. The allegations in Paragraph 570 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 570 is deemed to contain allegations against Walmart, Walmart denies such allegations.

571. The allegations in Paragraph 571 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 571 is deemed to contain allegations against Walmart, Walmart denies such allegations.

572. The allegations in Paragraph 572 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 572 is deemed to contain allegations against Walmart, Walmart denies such allegations.

573. The allegations in Paragraph 573 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 573 is deemed to contain allegations against Walmart, Walmart denies such allegations.

574. The allegations in Paragraph 574 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 574 is deemed to contain allegations against Walmart, Walmart denies such allegations.

575. The allegations in Paragraph 575 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 575 is deemed to contain allegations against Walmart, Walmart denies such allegations.

576. The allegations in Paragraph 576 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 576 is deemed to contain allegations against Walmart, Walmart denies such allegations.

577. The allegations in Paragraph 577 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 577 is deemed to contain allegations against Walmart, Walmart denies such allegations.

578. The allegations in Paragraph 578 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 578 is deemed to contain allegations against Walmart, Walmart denies such allegations.

579. The allegations in Paragraph 579 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore

deemed to be denied. Moreover, to the extent Paragraph 579 is deemed to contain allegations against Walmart, Walmart denies such allegations.

580. The allegations in Paragraph 580 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 580 is deemed to contain allegations against Walmart, Walmart denies such allegations.

581. The allegations in Paragraph 581 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 581 is deemed to contain allegations against Walmart, Walmart denies such allegations.

582. The allegations in Paragraph 582 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 582 is deemed to contain allegations against Walmart, Walmart denies such allegations.

583. The allegations in Paragraph 583 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 583 is deemed to contain allegations against Walmart, Walmart denies such allegations.

584. The allegations in Paragraph 584 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 584 is deemed to contain allegations against Walmart, Walmart denies such allegations.

585. Paragraph 585 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 585.

586. Paragraph 586 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 586.

587. Paragraph 587 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. Walmart denies the remaining allegations in Paragraph 587.

588. The allegations in Paragraph 588 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 588 is deemed to contain allegations against Walmart, Walmart denies such allegations.

589. The allegations in Paragraph 589 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 589 is deemed to contain allegations against Walmart, Walmart denies such allegations.

590. The allegations in Paragraph 590 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without

knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 590 is deemed to contain allegations against Walmart, Walmart denies such allegations.

591. The allegations in Paragraph 591 are not directed toward Walmart and therefore do not require a response. To the extent such allegations require a response, Walmart is without knowledge or information sufficient to form a belief as to their truth; such allegations are therefore deemed to be denied. Moreover, to the extent Paragraph 591 is deemed to contain allegations against Walmart, Walmart denies such allegations.

592. Walmart is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 592; such allegations are therefore deemed to be denied.

593. Walmart admits certain prescriptions written in one state may, under some circumstances, be filled in a different state. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 593, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

594. Walmart is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 594; such allegations are therefore deemed to be denied.

595. Paragraph 595 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 595; such allegations are therefore deemed to be denied.

596. Walmart is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 596; such allegations are therefore deemed to be denied.

597. Paragraph 597 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 597; such allegations are therefore deemed to be denied.

598. Walmart is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 598; such allegations are therefore deemed to be denied.

599. Paragraph 599 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 599; such allegations are therefore deemed to be denied.

600. Walmart is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 600; such allegations are therefore deemed to be denied.

601. Walmart is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 601; such allegations are therefore deemed to be denied.

602. Walmart is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 602; such allegations are therefore deemed to be denied.

603. Walmart denies the allegations in Paragraph 603 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 603, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

604. Walmart denies the allegations in Paragraph 604 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 604, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

605. Walmart denies the allegations in Paragraph 605 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 605, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

606. Walmart denies the allegations in Paragraph 606 to the extent they apply to Walmart, including that Walmart is or was a member of HDA and/or its predecessors HDMA and NWDA. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 606, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

607. Walmart denies the allegations in Paragraph 607 to the extent they apply to Walmart, including that Walmart is or was a member of HDA and/or its predecessors HDMA and NWDA. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 607, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

608. Walmart denies the allegations in Paragraph 608 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 608, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

609. Walmart denies the allegations in Paragraph 609 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 609, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

610. Walmart denies the allegations in Paragraph 610 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 610, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

611. Walmart admits that during the time period it self-distributed controlled substances, Walmart distributed certain prescription opioid medication to certain pharmacies operated by Walmart Inc. and/or its subsidiaries in New Mexico. Walmart also admits that pharmacists working at pharmacies operated by Walmart Inc. and/or its subsidiaries in New Mexico have dispensed certain prescription opioid medication. Further, Paragraph 611 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 611 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 611, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

612. Paragraph 612 purports to recite law that speaks for itself, and Walmart denies any characterizations thereof. Paragraph 612 also states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 612. Further, to the extent Paragraph 612 contains allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart.

613. Paragraph 613 purports to recite law that speaks for itself, and Walmart denies any characterizations thereof. Paragraph 613 also states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 613. Further, to the extent Paragraph 613 contains allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart.

614. Paragraph 614 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 614. Further, to the extent Paragraph 614 contains allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 614, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

615. Paragraph 615 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 615 and further denies the allegations contained therein to the extent they apply to Walmart. Further, to the extent Paragraph 615 contains allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient

to form a belief as to the truth of the allegations in Paragraph 615, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

616. Paragraph 616 purports to recite law that speaks for itself, and Walmart denies any characterizations thereof. Paragraph 616 also states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 616.

617. Walmart is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 617; such allegations are therefore deemed to be denied.

618. Paragraph 618 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 618 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 618, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

619. Walmart denies the allegations of wrongdoing in Paragraph 619 to the extent they apply to Walmart. Further, while Walmart is aware of reports regarding drug overdose, Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 619, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

620. Walmart denies the allegations in Paragraph 620 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to

the truth of the allegations in Paragraph 620, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

621. Walmart denies the allegations in Paragraph 621 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 621, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

622. Walmart denies the allegations in Paragraph 622 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 622, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

623. Walmart denies the allegations in Paragraph 623 to appear here. to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 623 to appear here., including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

624. Paragraph 624 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. While Walmart is aware of reports regarding drug overdose, Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 624; such allegations are therefore deemed to be denied.

625. Paragraph 625 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. While Walmart is aware of reports regarding drug overdose, Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 625; such allegations are therefore deemed to be denied.

626. Paragraph 626 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. While Walmart is aware of reports regarding drug overdose, Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 626; such allegations are therefore deemed to be denied.

627. Paragraph 627 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. While Walmart is aware of reports regarding drug overdose, Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 627; such allegations are therefore deemed to be denied. Further, to the extent Paragraph 627 contains allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart.

628. Paragraph 628 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. While Walmart is aware of reports regarding drug overdose, Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 628; such allegations are therefore deemed to be denied.

629. Paragraph 629 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. While Walmart is aware of reports regarding drug overdose, Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 629; such allegations are therefore deemed to be denied.

630. Paragraph 630 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. While Walmart is aware of reports regarding drug overdose, Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 630; such allegations are therefore deemed to be denied.

631. Paragraph 631 refers to a document that speaks for itself, and Walmart denies any characterizations thereof. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 631; such allegations are therefore deemed to be denied.

632. Paragraph 632 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. Walmart acknowledges that abuse and addiction to opioids is a serious public health issue. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 632; such allegations are therefore deemed to be denied.

633. Paragraph 633 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. While Walmart is aware of reports regarding drug overdose, Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 633; such allegations are therefore deemed to be denied.

634. Paragraph 634 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. Walmart acknowledges that abuse and addiction to opioids is a serious public health issue. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 634; such allegations are therefore deemed to be denied.

635. Walmart acknowledges that abuse and addiction to opioids is a serious public health issue. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 635; such allegations are therefore deemed to be denied.

636. Walmart is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 636; such allegations are therefore deemed to be denied.

637. Paragraph 637 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. While Walmart is aware of reports regarding drug overdose, Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 637; such allegations are therefore deemed to be denied.

638. Paragraph 638 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. While Walmart is aware of reports regarding drug overdose, Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 638; such allegations are therefore deemed to be denied.

639. Paragraph 639 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. Walmart acknowledges that abuse and addiction to opioids is a serious public health issue. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 639; such allegations are therefore deemed to be denied.

640. Paragraph 640 refers to documents that speak for themselves, and Walmart denies any characterizations thereof. While Walmart is aware of reports regarding drug overdose, Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 640; such allegations are therefore deemed to be denied.

641. Walmart is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 641; such allegations are therefore deemed to be denied.

642. Paragraph 642 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 642 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 642, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

643. Paragraph 643 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 643 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 643, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

644. Paragraph 644 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 644 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 644, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

645. Paragraph 645 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 645 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the

allegations in Paragraph 645, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

646. Paragraph 646 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 646 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 646, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

647. Walmart denies the allegations in Paragraph 647 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 647, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

648. Walmart denies the allegations in Paragraph 648 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 648, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

649. Walmart incorporates by reference its answers to all other allegations contained in this Answer as if fully set forth herein. Pursuant to Paragraph 4 of the Stipulated Order Regarding Answering The May 19, 2021 Amended Complaints In The Five New Pharmacy Bellwether Cases entered August 17, 2021 (MDL Dkt. 3853), Walmart is only required to answer the allegations set forth in this Complaint and does not respond to any allegations in Plaintiff's prior complaints and pleadings including Plaintiff's Original Complaint (ECF 1), Plaintiff's Amended Short Form Complaint (ECF 7), or any other complaints or pleadings that Plaintiff

purports to incorporate herein. Walmart does not admit any allegation contained in any of Plaintiff's prior complaints and pleadings. Answering further, to the extent any of Plaintiff's prior pleadings contain allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart.

650. Walmart incorporates by reference its answers to all other allegations contained in this Answer as if fully set forth herein. Pursuant to Paragraph 4 of the Stipulated Order Regarding Answering The May 19, 2021 Amended Complaints In The Five New Pharmacy Bellwether Cases entered August 17, 2021 (MDL Dkt. 3853), Walmart is only required to answer the allegations set forth in this Complaint and does not respond to any allegations in Plaintiff's prior complaints and pleadings including Plaintiff's Original Complaint (ECF 1), Plaintiff's Amended Short Form Complaint (ECF 7), or any other complaints or pleadings that Plaintiff purports to incorporate herein. Walmart does not admit any allegation contained in any of Plaintiff's prior complaints and pleadings. Answering further, to the extent any of Plaintiff's prior pleadings contain allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart.

651. Paragraph 651 is a recitation of case procedure and does not require a response.

652. Paragraph 652 summarizes Plaintiff's claims and does not require a response. To the extent Paragraph 652 contains allegations of wrongdoing, Walmart denies such allegations. Answering further, Paragraph 652 purports to recite law that speaks for itself, and Walmart denies any characterizations thereof. Paragraph 652 also states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 652.

653. Walmart incorporates by reference its answers to all other allegations contained in this Answer as if fully set forth herein. Pursuant to Paragraph 4 of the Stipulated Order Regarding Answering The May 19, 2021 Amended Complaints In The Five New Pharmacy Bellwether Cases entered August 17, 2021 (MDL Dkt. 3853), Walmart is only required to answer the allegations set forth in this Complaint and does not respond to any allegations in Plaintiff's prior complaints and pleadings including Plaintiff's Original Complaint (ECF 1), Plaintiff's Amended Short Form Complaint (ECF 7), or any other complaints or pleadings that Plaintiff purports to incorporate herein. Walmart does not admit any allegation contained in any of Plaintiff's prior complaints and pleadings. Answering further, to the extent any of Plaintiff's prior pleadings contain allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart.

654. Paragraph 654 purports to recite law that speaks for itself, and Walmart denies any characterizations thereof. To the extent Paragraph 654 contains allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart.

655. Paragraph 655 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 655 and further denies the allegations contained therein to the extent they apply to Walmart. While Walmart acknowledges that abuse and addiction to opioids is a serious public health issue, Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 655, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

656. Paragraph 656 purports to recite law that speaks for itself, and Walmart denies any characterizations thereof. To the extent Paragraph 656 contains allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart.

657. Walmart admits that Walmart Inc., through its subsidiary, distributes certain non-controlled prescription medication to certain pharmacies operated by Walmart Inc. and/or its subsidiaries. Walmart also admits that pharmacists working at pharmacies operated by Walmart Inc. and/or its subsidiaries dispense certain prescription medication, including certain prescription controlled substance medications. Walmart denies the remaining allegations in Paragraph 657 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 657, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

658. Walmart admits that during the time period it self-distributed controlled substances, Walmart distributed certain prescription opioid medication to certain pharmacies operated by Walmart Inc. and/or its subsidiaries in New Mexico and Santa Fe County. Walmart also admits that pharmacists working at pharmacies operated by Walmart Inc. and/or its subsidiaries in New Mexico and Santa Fe County have dispensed certain prescription opioid medication. Walmart denies the remaining allegations in Paragraph 658 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 658, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

659. Walmart admits that during the time period it self-distributed controlled substances, Walmart distributed certain prescription opioid medication to certain pharmacies operated by Walmart Inc. and/or its subsidiaries in New Mexico and Santa Fe County. Walmart

also admits that pharmacists working at pharmacies operated by Walmart Inc. and/or its subsidiaries in New Mexico and Santa Fe County have dispensed certain prescription opioid medication. Walmart denies the remaining allegations in Paragraph 659 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 659, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

660. Walmart admits that during the time period it self-distributed controlled substances, Walmart distributed certain prescription opioid medication to certain pharmacies operated by Walmart Inc. and/or its subsidiaries in New Mexico and Santa Fe County. Walmart also admits that pharmacists working at pharmacies operated by Walmart Inc. and/or its subsidiaries in New Mexico and Santa Fe County have dispensed certain prescription opioid medication. Further, Paragraph 660 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 660 and further denies the remaining allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 660, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

661. Walmart admits that at times relevant to this litigation, it possessed certain data on prescription medication it distributed and dispensed. Walmart denies the remaining allegations in Paragraph 661 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 661, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

662. Walmart denies the allegations in Paragraph 662 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 662, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

663. Walmart denies the allegations in Paragraph 663 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 663, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

664. Paragraph 664 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 664 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 664, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

665. Paragraph 665 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 665 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 665, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

666. Paragraph 666 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 666 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is

otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 666, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

667. Walmart denies the allegations in Paragraph 667 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 667, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

668. Walmart denies the allegations in Paragraph 668 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 668, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

669. The allegations in Paragraph 669 are too vague to meaningfully respond to. To the extent Paragraph 669 contains allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 669, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

670. Paragraph 670 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 670 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 670, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

671. Walmart denies the allegations in Paragraph 671 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 671, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

672. Paragraph 672 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 672 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 672, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

673. Paragraph 673 summarizes Plaintiff's claims and does not require a response. To the extent Paragraph 673 contains allegations of wrongdoing, Walmart denies such allegations. Further, Paragraph 673 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 673 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 673, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

674. Walmart incorporates by reference its answers to all other allegations contained in this Answer as if fully set forth herein. Pursuant to Paragraph 4 of the Stipulated Order Regarding Answering The May 19, 2021 Amended Complaints In The Five New Pharmacy Bellwether Cases entered August 17, 2021 (MDL Dkt. 3853), Walmart is only required to answer the allegations set forth in this Complaint and does not respond to any allegations in Plaintiff's

prior complaints and pleadings including Plaintiff's Original Complaint (ECF 1), its Short Form Complaint (ECF 7), or any other complaints or pleadings that Plaintiff purports to incorporate herein. Walmart does not admit any allegation contained in any of Plaintiff's prior complaints and pleadings. Answering further, to the extent any of Plaintiff's prior pleadings contain allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart.

675. Paragraph 675 purports to recite law that speaks for itself, and Walmart denies any characterizations thereof. To the extent Paragraph 675 contains allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart.

676. Paragraph 676 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 676 and further denies the allegations contained therein to the extent they apply to Walmart. While Walmart acknowledges that abuse and addiction to opioids is a serious public health issue, Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 676, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

677. Paragraph 677 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 677 and further denies the allegations contained therein to the extent they apply to Walmart. While Walmart acknowledges that abuse and addiction to opioids is a serious public health issue, Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 677, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

678. Walmart admits that Walmart Inc., through its subsidiary, distributes certain non-controlled prescription medication to certain pharmacies operated by Walmart Inc. and/or its subsidiaries. Walmart also admits that pharmacists working at pharmacies operated by Walmart Inc. and/or its subsidiaries dispense certain prescription medication, including certain prescription controlled substance medications. Walmart denies the remaining allegations in Paragraph 678. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 678, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

679. Walmart admits that during the time period it self-distributed controlled substances, Walmart distributed certain prescription opioid medication to certain pharmacies operated by Walmart Inc. and/or its subsidiaries in New Mexico and Santa Fe County. Walmart also admits that pharmacists working at pharmacies operated by Walmart Inc. and/or its subsidiaries in New Mexico and Santa Fe County have dispensed certain prescription opioid medication. Walmart denies the remaining allegations in Paragraph 679 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 679, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

680. Walmart admits that during the time period it self-distributed controlled substances, Walmart distributed certain prescription opioid medication to certain pharmacies operated by Walmart Inc. and/or its subsidiaries in New Mexico and Santa Fe County. Walmart also admits that pharmacists working at pharmacies operated by Walmart Inc. and/or its subsidiaries in New Mexico and Santa Fe County have dispensed certain prescription opioid medication. Walmart denies the remaining allegations in Paragraph 680 to the extent they apply to

Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 680, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

681. Walmart admits that during the time period it self-distributed controlled substances, Walmart distributed certain prescription opioid medication to certain pharmacies operated by Walmart Inc. and/or its subsidiaries in New Mexico and Santa Fe County. Walmart also admits that pharmacists working at pharmacies operated by Walmart Inc. and/or its subsidiaries in New Mexico and Santa Fe County have dispensed certain prescription opioid medication. Further, Paragraph 681 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 681 and further denies the remaining allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 681, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

682. Walmart admits that at times relevant to this litigation, it possessed certain data on prescription medication it distributed and dispensed. Walmart denies the remaining allegations in Paragraph 682 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 682, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

683. Walmart denies the allegations in Paragraph 683 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to

the truth of the allegations in Paragraph 683, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

684. Walmart denies the allegations in Paragraph 684 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 684, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

685. Paragraph 685 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 685 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 685, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

686. Walmart denies the allegations in Paragraph 686 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 686, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

687. Walmart denies the allegations in Paragraph 687 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 687, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

688. Walmart denies the allegations in Paragraph 688 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to

the truth of the allegations in Paragraph 688, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

689. Walmart denies the allegations in Paragraph 689 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 689, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

690. The allegations in Paragraph 690 are too vague to meaningfully respond to. To the extent Paragraph 690 contains allegations of wrongdoing, Walmart denies such allegations to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 690, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

691. Walmart denies the allegations in Paragraph 691 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 691, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

692. Paragraph 692 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 692 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 692, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

693. Walmart denies the allegations in Paragraph 693 to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to

the truth of the allegations in Paragraph 693, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

694. Paragraph 694 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 694 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 694, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

695. Paragraph 695 summarizes Plaintiff's claims and does not require a response. To the extent Paragraph 695 contains allegations of wrongdoing, Walmart denies such allegations. Further, Paragraph 695 states legal conclusions to which no response is required. To the extent a response is required, Walmart denies the legal conclusions stated in Paragraph 695 and further denies the allegations contained therein to the extent they apply to Walmart. Walmart is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 695, including to the extent those allegations apply to another defendant; such allegations are therefore deemed to be denied.

696. Walmart denies that Plaintiff is entitled the relief described in Paragraph 696.

Paragraph 0 summarizes Plaintiff's request for a jury and does not require a response.

AFFIRMATIVE AND OTHER DEFENSES

Having answered the allegations of Plaintiff's Complaint, and having denied any liability whatsoever, Walmart further denies any allegations that have not been expressly admitted and sets forth below its defenses. By setting forth these defenses, Walmart does not assume the burden of proving any fact, issue, or element of a cause of action where such burden properly belongs to

Plaintiff. Moreover, Walmart does not intend these defenses to be, nor shall they be construed as, an acknowledgement that any particular issue or subject matter is relevant to Plaintiff's allegations. Walmart does not admit or acknowledge that it bears the burden of proof or burden of persuasion with respect to any such defense. Upon completion of discovery, if the facts warrant, Walmart may withdraw any of these defenses as may be appropriate. Walmart reserves the right to (i) rely on any other applicable defenses set forth in any Answer or listing of affirmative defenses of any other Defendant in this Action, (ii) rely on any other defenses that may become apparent during fact or expert discovery in this matter, and (iii) amend its Answer to assert any such defenses.

FIRST DEFENSE

The Complaint fails to state facts sufficient to constitute a claim upon which relief may be granted against Walmart.

SECOND DEFENSE

Plaintiff's claims are barred by the applicable statute of limitations.

THIRD DEFENSE

Plaintiff's claims are barred by the doctrine of laches.

FOURTH DEFENSE

Plaintiff's claims are barred or limited for lack of standing.

FIFTH DEFENSE

Plaintiff's claims are barred by the voluntary payment doctrine.

SIXTH DEFENSE

Plaintiff's claims are barred, in whole or in part, because Plaintiff lacks capacity to bring its claims, including claims indirectly maintained on behalf of their citizens and claims brought as *parens patriae*.

SEVENTH DEFENSE

Plaintiff's claims are barred because Plaintiff is not the real party in interest.

EIGHTH DEFENSE

Plaintiff's claims are not ripe and/or have been mooted.

NINTH DEFENSE

Plaintiff's claims and damages are barred or limited, in whole or in part, by common law, statutory, and state constitutional constraints on the exercise of police powers by a county.

TENTH DEFENSE

Plaintiff's claims and damages are barred or limited by the political question, separation of powers, and statewide concern doctrines and because the claims implicate issues of statewide importance that are reserved for state regulation.

ELEVENTH DEFENSE

Plaintiff's claims are barred by the doctrine of unclean hands.

TWELFTH DEFENSE

Plaintiff's claims are barred by the doctrine of *in pari delicto*.

THIRTEENTH DEFENSE

Plaintiff's claims are barred, in whole or in part, for failure to exhaust administrative remedies or to satisfy other procedural prerequisites.

FOURTEENTH DEFENSE

Plaintiff's claims are barred by the doctrines of estoppel, waiver, and/or ratification.

FIFTEENTH DEFENSE

Plaintiff's claims are barred by the doctrines of res judicata and collateral estoppel.

SIXTEENTH DEFENSE

Venue may be improper and/or inconvenient in this Court.

SEVENTEENTH DEFENSE

Plaintiff's claims are barred or limited by the terms and effect of any applicable consent judgment or settlement, including by operation of the doctrines of res judicata and collateral estoppel, failure to fulfill conditions precedent, failure to provide requisite notice, payment, accord and satisfaction, and compromise and settlement.

EIGHTEENTH DEFENSE

Plaintiff has failed to join all necessary parties, including without limitation health care providers, prescribers, patients, and other third parties whom Plaintiff alleges engaged in the unauthorized or illicit prescribing, dispensing, diversion, or use of prescription opioid products.

NINETEENTH DEFENSE

Plaintiff's claims against Walmart do not arise out of the same transactions or occurrences as the claims against other Defendants, as required for joinder of parties.

TWENTIETH DEFENSE

Plaintiff's claims are barred to the extent they relate to Walmart's alleged lobbying or other activities protected by the First Amendment to the Constitution of the United States or by Article II, Section 17 of the Constitution of the State of New Mexico or the constitution of any other state whose laws may apply.

TWENTY-FIRST DEFENSE

Plaintiff's claims are barred, in whole or in part, to the extent that they violate the Due Process or Ex Post Facto clauses of the United States Constitution and New Mexico Constitution.

TWENTY-SECOND DEFENSE

Walmart's rights under the Due Process Clause of the United States Constitution and New Mexico Constitution are violated by any financial or other arrangement that might distort a government attorney's duty to pursue justice rather than his or her personal interests, financial or

otherwise, in the context of a civil enforcement proceeding, including by Plaintiff's use of a contingency-fee contract with private counsel.

TWENTY-THIRD DEFENSE

Plaintiff's claims are barred, in whole or in part, to the extent that they violate the Dormant Commerce Clause of the United States Constitution.

TWENTY-FOURTH DEFENSE

Walmart denies all types of causation, including without limitation, cause in fact, proximate cause, and producing cause, with respect to the claims asserted against Walmart.

TWENTY-FIFTH DEFENSE

Plaintiff's claims are barred, in whole or in part, because Walmart did not proximately cause the damages complained of, and because the acts of other persons (including individuals engaged in the illegal distribution or use of opioids without a proper prescription) intervened between Walmart's acts and Plaintiff's harms. Walmart had no legal duty to protect Plaintiff from the intentional criminal acts of third persons, which are superseding causes that extinguish any liability.

TWENTY-SIXTH DEFENSE

The injuries and damages claimed by Plaintiff resulted from an intervening or superseding cause and/or causes, and any act or omission on the part of Walmart was not the proximate and/or competent producing cause of such alleged injuries and damages.

TWENTY-SEVENTH DEFENSE

Plaintiff's injuries and damages, if any, were due to misuse, illicit use, or abuse of the medications at issue on the part of the medication users, for which Walmart is not liable.

TWENTY-EIGHTH DEFENSE

Any injuries and/or damages sustained by Plaintiff may have been caused or contributed to by the negligence or actual conduct of Plaintiff and/or other persons, firms, corporations, or entities over whom Walmart had no control or right of control and for whom it is not responsible.

TWENTY-NINTH DEFENSE

Plaintiff's claims are barred, in whole or in part, because its alleged injuries or damages were caused by unforeseeable and uncontrollable forces over which Walmart had no control and for which Walmart is not responsible, including without limitation pre-existing or unrelated medical conditions.

THIRTIETH DEFENSE

Plaintiff's claims are barred, in whole or in part, because any and all damages alleged by Plaintiff were caused by misuse of the products involved, failure to use the products properly, and/or alteration or modification of, or criminal misuse or abuse of, the prescribed medications by third parties over whom Walmart had no control, for whom Walmart is not responsible, and that operated as superseding causes that extinguish any liability.

THIRTY-FIRST DEFENSE

Plaintiff would be unjustly enriched if allowed to recover on any of its claims.

THIRTY-SECOND DEFENSE

Plaintiff's claims are barred in whole or in part because Plaintiff suffered no injuries or damages as a result of any action by Walmart.

THIRTY-THIRD DEFENSE

Plaintiff's claims are barred, in whole or in part, because the derivative-injury rule and the remoteness doctrine bar Plaintiff from recovering payments that it allegedly made on behalf of its

residents to reimburse any expenses for health care, pharmaceutical care, and/or other public services.

THIRTY-FOURTH DEFENSE

Plaintiff's claims are barred to the extent that Walmart has valid defenses that bar recovery by those persons on whose behalf Plaintiff purportedly seeks recovery.

THIRTY-FIFTH DEFENSE

Plaintiff's claims are subject to all defenses that could be asserted if Plaintiff's claims were properly made by individuals on whose behalf or for whose alleged damages Plaintiff seeks to recover.

THIRTY-SIXTH DEFENSE

Plaintiff has failed to comply with the requirement that it identify each patient in whose claim(s) it has a subrogation interest and on whose behalf it has incurred costs.

THIRTY-SEVENTH DEFENSE

Plaintiff fails to plead that it reimbursed any prescriptions for any opioid distributed by Walmart that harmed patients and should not have been prescribed or distributed, that Walmart caused any health care provider to write any ineffective or harmful opioid prescriptions, or that any specific prescription was unauthorized, medically unnecessary, ineffective, or harmful.

THIRTY-EIGHTH DEFENSE

Plaintiff's claims are barred to the extent that Plaintiff's alleged damages are speculative, uncertain, and hypothetical.

THIRTY-NINTH DEFENSE

Any recovery by Plaintiff may be barred, in whole or in part, by the principle of comparative fault.

FORTIETH DEFENSE

Plaintiff's damages, if any, were caused by the active, direct, and proximate negligence or actual conduct of entities or persons other than Walmart, and in the event that Walmart is found to be liable to Plaintiff, Walmart will be entitled to indemnification, contribution, and/or apportionment.

FORTY-FIRST DEFENSE

Walmart asserts its right to a proportionate reduction of any damages found against Walmart based on the negligence or other conduct of any settling tortfeasor and/or responsible third party and/or Plaintiff. Walmart has a right under NMSA 1978, § 41-3A-1 to a proportionate reduction of any damages found against it based on the product, negligence, or other conduct of any settling tortfeasor and/or responsible third party.

FORTY-SECOND DEFENSE

A specific percentage of the tortious conduct that proximately caused the injury or loss to person or property is attributable to (i) Plaintiff, (ii) other parties from whom Plaintiff seeks recovery, and (iii) persons from whom Plaintiff does not seek recovery in this action, including, but not limited to, prescribing practitioners, non-party pharmacies and pharmacists, individuals and entities involved in diversion and distribution of prescription opioids, individuals and entities involved in import, distribution, and sale of illegal opioids, individuals involved in procuring diverted prescription opioids and/or illegal drugs, delivery services, federal, state, and local government entities, and health insurers and pharmacy benefit managers. NMSA 1978, §§ 41-3-1 & 41-3A-1; UJI 13-1427 NMRA.

FORTY-THIRD DEFENSE

Any verdict or judgment that might be recovered by Plaintiff must be reduced by those amounts that have already indemnified or with reasonable certainty will indemnify Plaintiff in

whole or in part for any past or future claimed economic loss from any collateral source or any other applicable law.

FORTY-FOURTH DEFENSE

If Walmart is found liable for Plaintiff's alleged injuries and losses (such liability is specifically denied), the facts will show that any recovery by Plaintiff must be reduced or barred pursuant to UJI 13-1427 NMRA to account for the acts or omissions attributable to Plaintiff.

FORTY-FIFTH DEFENSE

The damages which Plaintiff may be entitled to recover if liability is established (which liability is specifically denied) are capped pursuant to UJI 13-861 NMRA and UJI 13-1827 NMRA, and pursuant to all federal and New Mexico constitutional limitations on the assessment of punitive or exemplary damages.

FORTY-SIXTH DEFENSE

Any damages that Plaintiff may recover against Walmart must be reduced to the extent that Plaintiff is seeking damages for alleged injuries or expenses related to the same user(s) of the subject drugs, or damages recovered or recoverable by another actual or potential plaintiff. Any damages that Plaintiff may recover against Walmart must be reduced to the extent they unjustly enrich Plaintiff.

FORTY-SEVENTH DEFENSE

Plaintiff's claims against Walmart are barred to the extent they rely, explicitly or implicitly, on a theory of market-share liability.

FORTY-EIGHTH DEFENSE

Plaintiff's claims against Walmart are barred or limited by the economic loss rule.

FORTY-NINTH DEFENSE

Plaintiff is barred, in whole or in part, from recovering costs incurred in providing public services by the free public services doctrine and/or municipal cost recovery doctrine.

FIFTIETH DEFENSE

Plaintiff may have failed or refused to exercise reasonable care and diligence to avoid loss and minimize damages and, therefore, may not recover for losses that could have been prevented by reasonable efforts on its part, or by expenditures that might reasonably have been made. Recovery, if any, should therefore be reduced by Plaintiff's failure to mitigate damages, if any.

FIFTY-FIRST DEFENSE

To the extent Plaintiff attempts to seek equitable relief, Plaintiff is not entitled to such relief because Plaintiff has an adequate remedy at law.

FIFTY-SECOND DEFENSE

Plaintiff's claims are barred, in whole or in part, because federal agencies have exclusive or primary jurisdiction over the matters asserted in the Complaint.

FIFTY-THIRD DEFENSE

Plaintiff's claims are preempted by federal law, including (without limitation) the federal Controlled Substances Act and the Food, Drug, and Cosmetic Act ("FDCA").

FIFTY-FOURTH DEFENSE

The conduct of Walmart conformed with the FDCA and the requirements of the Food and Drug Administration ("FDA"), and the activities of Walmart alleged in the Complaint conformed with all state and federal statutes, regulations, and industry standards based on the state of knowledge at the relevant time(s) alleged in the Complaint.

FIFTY-FIFTH DEFENSE

Plaintiff's claims are barred, in whole or in part, by conflict preemption as set forth in the United States Supreme Court's decisions in *PLIVA, Inc. v. Mensing*, 564 U.S. 604 (2011), and *Mut. Pharm. Co. v. Bartlett*, 570 U.S. 472 (2013).

FIFTY-SIXTH DEFENSE

Plaintiff's claims are preempted insofar as they conflict with Congress's purposes and objectives in enacting relevant federal legislation and authorizing regulations, including the Hatch-Waxman Amendments to the FDCA and implementing regulations. *See Geier v. Am. Honda Motor Co.*, 529 U.S. 861 (2000).

FIFTY-SEVENTH DEFENSE

To the extent Plaintiff's claims depend solely on violations of federal law, including any claims of a "fraud on the FDA" with respect to the manufacturers' disclosure of information related to the safety of their medications at issue, such claims are barred and should be dismissed. *See Buckman Co. v. Plaintiffs' Legal Comm.*, 531 U.S. 341 (2001).

FIFTY-EIGHTH DEFENSE

To the extent Plaintiff's claims depend solely on violations of federal law, including any claims of "fraud on the Drug Enforcement Administration" ("DEA") with respect to Walmart's compliance with statutes or regulations administered and/or enforced by the DEA, such claims are barred and should be dismissed. *See Buckman*, 531 U.S. 341.

FIFTY-NINTH DEFENSE

Plaintiff's claims are barred, in whole or in part, by the deference that common law accords discretionary actions by the FDA under the FDCA and discretionary actions by the DEA under the Controlled Substances Act.

SIXTIETH DEFENSE

If Plaintiff incurred the damages alleged, which is expressly denied, Walmart is not liable for damages because the methods, standards, or techniques of designing, manufacturing, labeling, and distributing the prescription medications at issue complied with and were in conformity with the laws and regulations of the Controlled Substances Act, the FDCA, and the generally recognized state of the art in the industry at the time the product was designed, manufactured, labeled, and distributed.

SIXTY-FIRST DEFENSE

Plaintiff's claims are barred to the extent they are based on any allegations involving failure to provide adequate warnings or information because all warnings or information that accompanied the allegedly distributed products were approved by the FDA for a product approved under the FDCA (21 U.S.C. § 301 *et seq.*), as amended, or Section 351, Public Health Service Act (42 U.S.C. § 262), as amended, or the warnings and information provided were those stated in monographs developed by the United States Food & Drug Administration for pharmaceutical products that may be distributed without an approved new drug application.

SIXTY-SECOND DEFENSE

Plaintiff's claims are barred in whole or in part by the learned intermediary doctrine.

SIXTY-THIRD DEFENSE

Walmart did not owe or breach any statutory or common law duty to Plaintiff.

SIXTY-FOURTH DEFENSE

Walmart appropriately, completely, and fully performed and discharged any and all obligations and legal duties arising out of the matters alleged in the Complaint.

SIXTY-FIFTH DEFENSE

Plaintiff's claims are barred, in whole or in part, because they are directed at authorized and regulated activities, and Walmart complied at all relevant times with all applicable laws, including all legal and regulatory duties.

SIXTY-SIXTH DEFENSE

To the extent that Plaintiff relies on letters or other informal guidance from the DEA to establish Walmart's regulatory duties, such informal guidance cannot enlarge Walmart's regulatory duties in the absence of compliance by DEA with the requirements of the Administrative Procedure Act, 5 U.S.C. § 551 *et seq.*

SIXTY-SEVENTH DEFENSE

Plaintiff's claims are barred to the extent they seek damages based on alleged violations of the New Mexico Controlled Substances Act or other statutes or rules under which there is no private right of action against Walmart.

SIXTY-EIGHTH DEFENSE

Plaintiff's claims are barred to the extent they are based on alleged violations of industry customs because purported industry customs do not create legal duties on Walmart.

SIXTY-NINTH DEFENSE

The claims asserted in the Complaint are barred, in whole or in part, by the Restatement (Second) of Torts § 402A, Comments j and k, and Restatement (Third) of Torts: Products Liability § 6.

SEVENTIETH DEFENSE

Walmart is not liable for any statements in opioid manufacturers' branded or unbranded materials.

SEVENTY-FIRST DEFENSE

Plaintiff's claims are barred to the extent that Plaintiff lacks the statutory authority to bring any nuisance claim under New Mexico law or its own applicable county codes or regulations.

SEVENTY-SECOND DEFENSE

Plaintiff's public nuisance claims are barred or limited to the extent that they have been abrogated or otherwise curtailed by New Mexico statutes governing product liability, including the Uniform Contribution Among Tortfeasors Act, NMSA 1978, § 41-3-1 et seq. and the statute of limitations, NMSA 1978, § 37-1-4.

SEVENTY-THIRD DEFENSE

Plaintiff's claims of public nuisance are barred or limited because Plaintiff does not allege an interference with real property; illegal conduct perpetrated by third parties involving the use of an otherwise legal product does not involve a public right that supports a claim for public nuisance; the alleged public nuisance would have impermissible extraterritorial reach; and the alleged conduct of Walmart is too remote from the alleged injury as a matter of law and due process.

SEVENTY-FOURTH DEFENSE

Plaintiff's claims are barred by the Due Process Clause of the Fifth and Fourteenth Amendments to the United States Constitution and Article II, § 18 of the New Mexico Constitution because substantive due process forbids the retroactive imposition of changing and unclear legal interpretations of the New Mexico Controlled Substances Act.

SEVENTY-FIFTH DEFENSE

Plaintiff's public nuisance claims are barred because there is no enforceable duty to monitor and halt apparently suspicious orders before shipping.

SEVENTY-SIXTH DEFENSE

Plaintiff's public nuisance claims are barred to the extent Plaintiff seeks to establish liability based on unlawful conduct with respect to the dispensing of prescription opioid medications because neither the Controlled Substances Act nor equivalent New Mexico law impose relevant corporate-level dispensing duties.

SEVENTY-SEVENTH DEFENSE

Plaintiff's claims are barred, reduced, and/or limited pursuant to the applicable New Mexico statutory and common law regarding limitations of awards, caps on recovery, and setoffs.

SEVENTY-EIGHTH DEFENSE

Plaintiff's claims are barred, reduced, and/or limited to the extent that Walmart is entitled to a credit or setoff for any and all sums Plaintiff has received in the way of any and all settlements.

SEVENTY-NINTH DEFENSE

Plaintiff's claims are barred, in whole or in part, by the doctrines of acquiescence, settlement, or release.

EIGHTIETH DEFENSE

Walmart's liability, if any, will not result from its conduct but is solely the result of an obligation imposed by law, and thus Walmart is entitled to complete indemnity, express or implied, by other parties.

EIGHTY-FIRST DEFENSE

Plaintiff's request, if any, for punitive or exemplary damages or other civil penalties is barred or reduced by applicable law or statute or, in the alternative, such damages or penalties are unconstitutional insofar as they violate the Due Process Clauses of the United States Constitution, the Excessive Fines Clause of the Eighth Amendment of the United States Constitution, the Full Faith and Credit Clause of the United States Constitution, the Double Jeopardy Clause of the Fifth

Amendment to the United States Constitution, the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution, the Sixth Amendment to the United States Constitution, and applicable provisions of the Constitution of New Mexico or that of any other state whose laws may apply. Any law, statute, or other authority purporting to permit the recovery of punitive damages or civil penalties in this case is unconstitutional, facially and as applied, to the extent that, without limitation, it:

- (1) lacks constitutionally sufficient standards to guide and restrain the jury's discretion in determining whether to award punitive damages or civil penalties and/or the amount, if any;
- (2) is void for vagueness in that it fails to provide adequate advance notice as to what conduct will result in punitive damages or civil penalties;
- (3) unconstitutionally may permit recovery of punitive damages or civil penalties based on harms to third parties, out-of-state conduct, conduct that complied with applicable law, or conduct that was not directed, or did not proximately cause harm, to Plaintiff;
- (4) permits the imposition of punitive damages where the burden of proof is less than clear and convincing evidence;
- (5) permits the imposition of punitive damages without bifurcating the trial and trying all punitive damages issues separately, only if and after a finding on the merits of the liability of Walmart;
- (6) permits the imposition of punitive damages without any predetermined limit on any such award;
- (7) permits an imposition of punitive damages that allows for multiple punishments for the same alleged act(s) or omission(s);

(8) unconstitutionally may permit recovery of punitive damages or civil penalties in an amount that is not both reasonable and proportionate to the amount of harm, if any, to Plaintiff and to the amount of compensatory damages, if any;

(9) unconstitutionally may permit jury consideration of net worth or other financial information relating to Defendants;

(10) lacks constitutionally sufficient standards to be applied by the trial court in post-verdict review of any award of punitive damages or civil penalties;

(11) lacks constitutionally sufficient standards for appellate review of any award of punitive damages or civil penalties;

(12) would unconstitutionally impose a penalty, criminal in nature, without according to Defendants the same procedural protections that are accorded to criminal defendants under the constitutions of the United States, New Mexico, and any other state whose laws may apply; and

(13) otherwise fails to satisfy Supreme Court precedent, including, without limitation, *Pacific Mut. Life Ins. Co. v. Haslip*, 499 U.S. 1 (1991); *TXO Prod. Corp. v. Alliance Res., Inc.*, 509 U.S. 443 (1993); *BMW of N. Am. Inc. v. Gore*, 517 U.S. 559 (1996); *State Farm Mut. Ins. Co. v. Campbell*, 538 U.S. 408 (2003); and *Philip Morris USA v. Williams*, 549 U.S. 346 (2007).

EIGHTY-SECOND DEFENSE

To the extent that Plaintiff seeks punitive, exemplary, or aggravated damages, any such damages are barred because the product at issue, and its labeling, were subject to and received pre-market approval by the FDA under 52 Stat. 1040, 21 U.S.C. § 301.

EIGHTY-THIRD DEFENSE

Plaintiff's request for punitive or exemplary damages is barred because Plaintiff cannot prove by clear and convincing evidence that Walmart's conduct was malicious, willful, reckless, wanton, or fraudulent, and Walmart has neither acted nor failed to act in a manner that entitles Plaintiff to recover punitive or exemplary damages.

EIGHTY-FOURTH DEFENSE

Plaintiff cannot obtain relief on its claims based on actions undertaken by Walmart of which Walmart provided notice of all material facts.

EIGHTY-FIFTH DEFENSE

Walmart is entitled to, and claims the benefit of, all defenses and presumptions set forth in or arising from any rule of law or statute of this State or any other state whose substantive law might control the action.

EIGHTY-SIXTH DEFENSE

Walmart asserts all applicable defenses under Federal Rules of Civil Procedure 8(c) and 12(b) and/or New Mexico Rules of Civil Procedure 1-008 and 1-012 as investigation and discovery proceeds.

EIGHTY-SEVENTH DEFENSE

Plaintiff's public nuisance claims are barred because the New Mexico legislature has comprehensively regulated the field of controlled substance dispensing and distribution. *See* New Mexico Controlled Substances Act, NMSA 1978, § 30-31-1 *et seq.*; New Mexico Pharmacy Act, NMSA 1978, § 61-11-1 *et seq.*

EIGHTY-EIGHTH DEFENSE

Plaintiff's public nuisance claims are barred because Plaintiff fails to allege a common right of all members of the public that is alleged to have been infringed upon.

EIGHTY-NINTH DEFENSE

Plaintiff's public nuisance claims are barred because Plaintiff fails to allege that Defendants controlled the instrumentality of the alleged nuisance at the time of the nuisance.

NINETIETH DEFENSE

Plaintiff's public nuisance claims are barred because Plaintiff fails to adequately plead a special injury of a different kind suffered by other members of the general public.

NINETY-FIRST DEFENSE

Walmart adopts by reference any additional applicable defense pled by any other Defendant not otherwise pled herein.

JURY DEMAND

Walmart hereby requests a jury trial as to all issues or claims triable in this action.

PRAYER FOR RELIEF

WHEREFORE, Walmart prays for relief from judgment from Plaintiff as follows:

1. Plaintiff take nothing by reason of this Complaint;
2. Walmart recovers its costs and attorneys' fees incurred herein; and
3. For such further and other relief as the Court deems proper.

Dated: December 16, 2021

Respectfully submitted,

/s/ Tara A. Fumerton

Tara A. Fumerton

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Attorneys for Walmart Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on December 16, 2021, the foregoing was filed using the Court's CM/ECF filing system and will be served via the Court's CM/ECF filing system on all attorneys of record.

Dated: December 16, 2021

Respectfully submitted,

s/ Tara A. Fumerton

Tara A. Fumerton